

**MINUTES OF THE PUBLIC HEARING WITH RESPECT TO BYLAW #295-24  
FOR THE COUNCIL OF ALBERTA BEACH  
IN THE PROVINCE OF ALBERTA  
HELD IN ALBERTA BEACH COUNCIL CHAMBERS  
& HELD ELECTRONICALLY VIA ZOOM  
FEBRUARY 20, 2024 AT 7:00 P.M.**

THE PURPOSE OF THE PUBLIC HEARING IS TO DISCUSS BYLAW #295-24 A BYLAW TO AMEND THE ALBERTA BEACH CONSOLIDATED LAND USE BYLAW #252-17.

**PRESENT:**

Mayor .....Kelly Muir  
Councillor .....Debbie Durocher  
Councillor .....Tara Elwood  
Councillor .....Daryl Weber  
CAO .....Kathy Skwarchuk  
Asst. CAO .....Cathy McCartney  
Development Officer.....Paul Hanlan

**ABSENT:**

Deputy Mayor .....Bill Love

**CALL TO ORDER:**

Mayor Muir called the Public Hearing to order at 7:03 P.M.

**OPENING REMARKS:**

Mayor Muir welcomed everyone to the Public Hearing for Alberta Beach which is being held pursuant to Section 230 of the Municipal Government Act. The principal task of this hearing is to hear and receive formal submissions and presentations from those who wish to speak to the proposed Bylaw #295-24, a Bylaw whose purpose is to amend the Alberta Beach Consolidated Land Use Bylaw #252-17.

Council had 1<sup>st</sup> reading to this proposed Bylaw #295-24 at their January 16, 2024 Regular Council meeting. This Public Hearing was advertised on the village website, through social media, in the Community Voice newspaper on January 31 & February 7, 2024 as well as the Lac Ste. Anne Bulletin newspaper on February 5 & 12, 2024.

The proposed Bylaw #295-24 will amend the Land Use Bylaw #252-17 to address affordability of new residential construction including:

- Reducing minimum area of residential development to 800 FT<sup>2</sup> (74.32 M<sup>2</sup>);
- Reducing minimum length to width ratio of residential to 3:1; and
- Restricting maximum age of relocated buildings to the Village to 20 years old.

Mayor Muir further advised that after we formally adopt our agenda I will open the hearing before us. Council will review and discuss written submissions received by the Municipality prior to the Public Hearing. At that point I will allow the public an opportunity to speak and / or present additional written submissions. Those wishing to speak must sign in on the "Sign-In" sheet. For those persons attending via zoom that wish to speak please acknowledge and submit your name to be added to the sign in sheet. Council will hear individuals in the order in which they are listed on the "Sign-In" sheet, and will only hear those who do "Sign-In".

**ADOPTION OF AGENDA:**

**MOTION #PH001-24**

MOVED BY Councillor Elwood that the agenda be adopted as presented.

CARRIED UNANIMOUSLY

**INTRODUCTIONS:**

The Council, C.A.O., Asst. CAO and Development Officer introduced themselves.

**WRITTEN SUBMISSIONS:**

Review and discussion of written submissions, for and against the proposed Bylaw #295-24, received by the Municipality prior to the Public Hearing.

Written submissions were received from the following;

Paul Hanlan, Development Officer; and Jordan Iverson of Jandel Homes (written submissions attached).

Mayor Muir requested Paul Hanlan, Development Officer to review his report.

The Development Officer reviewed his report, the proposed bylaw and provided a power point presentation (submissions attached).

Mayor Muir requested Paul Hanlan, Development Officer to read aloud the written submission from Jordan Iverson, VP, Sales and Marketing of Jandel Homes who is in favour of the proposed bylaw for the following reasons: increases to residential development; reduces red tape and improves construction timelines; and improves new residential construction affordability (submission attached).

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**VERBAL PRESENTATIONS:**

The Public was called upon to speak/make presentations or provide additional written submissions according to the order in which they signed in on the register.

Mayor Muir called upon the following members of the public:

Leann Knysh commented:

- is in favour of the proposed bylaw as it will open up development in the area;
- is concerned on the 3:1 ratio as it will not work on some lots and asked if variances would be granted on setbacks;
- also asked if variances would be granted on the age of the dwelling;
- said this is a great thing you are doing.

Bud Love commented:

- is concerned about the proposed minimum 800 sq ft without a definition & asked if that would be a minimum sq ft for the main floor;
- has concerns about building 3 layers high & looking like a grain elevator;
- he thought the 800 sq ft should be the absolute minimum on the main floor, is concerned if a 20% variance is granted that it would become 600 sq ft;
- is concerned on the 3:1 ratio being too long & too narrow such as 60x20 would look like a bowling alley & commented that if a deck or garage is attached that would make it look better.

Charlene McKay commented:

- she read through proposal but did not see anything with respect to the modular side of things, couldn't see anything like if the chassis had to be removed or what the foundation requirements would be;
- questioned if this would bring down single family homes resale value.

Bud Love commented:

- to be clear modular homes cannot come in on wheels or chassis, is this correct that the modular home is put on a foundation and wheels and chassis is removed.

D.O. Paul Hanlan responded to the comments and questions:

- modular homes is different than manufactured, modulars are brought in on a flatbed, a crane is brought in & the home is placed on a foundation;
- the foundation requirements for modular homes is as per safety codes, can be put on a full basement, or concrete foundation, on pony walls or on piles;
- the Land Use Bylaw allows for a manufactured home, which are built to a different code & has chassis & wheels, manufactured home is not a modular home, usually a manufactured home is placed on piles, the placement is as per safety codes, usually it is skirted and the axles & towing gear is taken off;
- manufactured, modular & stick or site built would be governed to the 3:1 ratio;
- does not apply to mobile homes, as they stopped making them in 1993 & therefore over 20 years in age.

Leann Knysh commented:

- there is a need and want for lower end properties out here;
- she did not think it would affect the real estate values of anything else around, as there is such diverse types of properties in the beach;
- further she did not think values would be affected overall as there is a need for all different kinds of properties.

Councillor Weber commented:

- he has a large home, next door there is a small cabin & he doesn't see it taking away his property value;
- he thought under certain circumstances it would actually add to the village;
- he also commented smaller families & older couples are looking for smaller homes.

Councillor Elwood commented:

- that the Land Use Bylaw allows for tiny homes or smaller homes of 400 sq ft on the smaller lots in a few areas.

Councillor Durocher commented:

- there are some beautiful modular homes for 800 sq ft.

Bud Love commented:

- his main concern is on full size lots, he understands the 800 sq ft on a smaller lot.

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D.O. Paul Hanlan confirmed:

- in the Land Use Bylaw the R3 Family Special lot zoning allows a minimum floor area of 400 sq ft;
- clarified 800 sq ft is the habitable area (does not include garages, sunrooms or enclosed decks).

Councillor Weber asked:

- if the 800 sq ft includes the furnace room.

D.O. Paul Hanlan confirmed:

- that's more of a safety codes question, but will say usually, it's not impossible;
- the 3:1 ratio has been discussed & looked at & probably should have been in the power point, however he did put certain scenarios of 3:1 & 2:1 side by side, the 2:1 is very restrictive & drives pricing up;
- he commented on the age of construction, he likes 20 years, would not like 40 years;
- the Development Officer has some variance powers or flexibility for the front & rear yards, but not for the side yards which is driven by fire codes safety regulations, the D.O. has very limited powers for side yard variances;
- variance powers on the 800 sq ft, the bylaw still gives the D.O. the ability to give a variance, however the reason the D.O. grants a variance is if there is a hardship & that drives the need for it. Economics is not a hardship, if setbacks were required due to natural settings & trees the D.O. may grant a variance, but not on a larger lot;
- his understanding is that on manufactured homes the front & running gear form a structural component of the home & it cannot be removed, but this would have to be enclosed, the foundation is as per safety codes & the foundation for modular is as per safety codes;
- it is possible that the Bylaw could require a dwelling with 2 floors at 400 sq ft each floor but only if incorporating an attached garage, however the D.O. was not supportive of this potential amendment;
- also commented that for the older cabins people want to add a primary bedroom & bathroom however some had too many safety codes issues.

**ADDITIONAL COMMENTS:**

Mayor Muir asked for any additional comments.

Bud Love commented that he trusts the Development Officer's judgment.

Linda Wright asked if there is maximum site coverage.

D.O. Paul Hanlan responded yes there is a maximum site coverage in the bylaw.

Mayor Muir asked if everyone feels that they have been heard.

All speakers agreed they believe they have been heard.

Mayor Muir declared the Public Hearing closed. No further submissions will be entertained.

**ADJOURNMENT:**

**MOTION #PH002-24**

MOVED BY Mayor Muir that the meeting adjourn at 7:56 P.M.

CARRIED UNANIMOUSLY

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Mayor – Kelly Muir

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C.A.O. – Kathy Skwarchuk