

# Municipal District of Bonnyville No. 87

## Request for Decision (RFD)

**Meeting:** Regular Meeting of Council  
**Meeting Date:** May 14, 2024  
**Originated By:** Kristy Poirier, Development Authority Officer  
**Title:** Development Application No. 2024-D-073 – Variance from Highwater Mark

### **PROPOSAL & BACKGROUND**

Administration has received and is presenting development permit application no. 2024-D-073 for Council consideration. The applicant is applying for a variance from the highwater mark from 30m to 23m for the construction of a shop (1,000 sq ft).

### **DISCUSSION ON BENEFITS, DISADVANTAGES & OPTIONS**

As per the background report in Appendix A, the applicant is requesting a variance from the highwater mark from 30m to 23m for the construction of a shop (1,000 sq ft) at lot 66 in the Nicholson subdivision on Moose Lake.

Attached for Council's review:

- Appendix A: 2024-D-073 Background Report
- Appendix B: 2024-D-073 Location, Aerial, and Application
- Appendix C: Land Use Bylaw No. 1667, Section 41 Development Near Water Bodies (Courses) & Slopes
- Appendix D: Land Use Bylaw No. 1667, Section 20 Variance Authority

### **REFERENCE TO STRATEGIC PLAN**

N/A

### **REFERENCE TO PROVINCIAL/FEDERAL LEGISLATION**

Municipal Government Act 2021  
Lower Athabasca Regional Plan (2012)

## **COSTS & SOURCE OF FUNDING**

The applicant paid a \$175.00 application fee.

## **COMMUNICATIONS STRATEGY**

The decision will be advertised in the subsequent week's newspaper and on the M.D. of Bonnyville's website.

## **ADMINISTRATION RECOMMENDED ACTION**

THAT Council approves development permit application no. 2024-D-073 for a variance from the highwater mark from 30m to 23m for the construction of a shop (1,000 sq ft) within NW-25-60-7-W4M as a discretionary use pursuant to Part 3, Section 20, and Part 7 Section 71.2 of the Land Use Bylaw for James Nicholson as per the recommendation presented.

## **COUNCIL OPTIONS**

1. THAT Council approves development permit application no. 2024-D-073 for a variance from the highwater mark from 30m to 23m for the construction of a shop (1,000 sq ft) within NW-25-60-7-W4M as a discretionary use pursuant to Part 3, Section 20, and Part 7 Section 71.2 of the Land Use Bylaw for James Nicholson as per the recommendation presented.
  
2. THAT Council approves development permit application no. 2024-D-073 for a variance from the highwater mark from 30m to 23m for the construction of a shop (1,000 sq ft) within NW-25-60-7-W4M as a discretionary use pursuant to Part 3, Section 20, and Part 7 Section 71.2 of the Land Use Bylaw for James Nicholson with the following conditions \_\_\_\_\_.
  
3. THAT Council refuses development permit application no. 2024-D-073 for the following reasons:  
\_\_\_\_\_.

## Report Approval Details

Document Title:	Development Application No. 2024-D-073 - Variance from Highwater Mark.docx
Attachments:	- Appendix A - 2024-D-073 Background Report.pdf - Appendix B - 2024-D-073 Location, Aerial and Application.pdf - Appendix C - Land Use Bylaw No. 1667, Section 41 Development near Water Bodies.pdf - Appendix D - Land Use Bylaw No. 1667, Section 20 Variance Authority.pdf
Final Approval Date:	May 6, 2024

This report and all of its attachments were approved and signed as outlined below:

Lisa Folliott

Esther Quiambao

Stephanie Severin