

AGENDA
CLEAR HILLS COUNTY
MUNICIPAL PLANNING COMMISSION MEETING

January 10, 2017

The regular meeting of the Municipal Planning Commission for the Clear Hills County will be held on Tuesday, January 10, 2017, in the Council Chambers, Worsley, Alberta, at 9:00 a.m.

- A) CALL TO ORDER**
- B) AGENDA**
 - A. REGULAR MEETING January 10, 2017* 1
- C) ADOPTION OF THE PREVIOUS MINUTES**
 - A. REGULAR MEETING OF December 13, 2016* 2
- D) BUSINESS ARISING OUT OF THE MINUTES**
- E) DELEGATION**
- F) BY-LAW**
- G) OLD BUSINESS**
- H) NEW BUSINESS**
 - A. SUBDIVISION REFERRAL – Nil-Ray Farms Ltd.* 4
- I) CORRESPONDENCE AND INFORMATION**
- J) CONFIDENTIAL ITEMS**
- K) ADJOURNMENT**

Initials show support - Reviewed by: Development Officer:

Manager:

**MINUTES OF CLEAR HILLS COUNTY
MUNICIPAL PLANNING COMMISSION
COUNTY COUNCIL CHAMBERS
DECEMBER 13, 2016**

PRESENT

Miron Croy	Chairperson
Charlie Johnson	Member
Lee Svederus	Member
Peter Frixel	Member
David Janzen	Member

ABSENT

ATTENDING

Allan Rowe	Chief Administrative Officer (CAO)
Audrey Bjorklund	Community Development Officer (CDM)
Dallas Logan	Development Officer
Bonnie Morgan	Executive Assistant (EA)

CALL TO ORDER

Chair Croy called the meeting to order at 9:05a.m.

**ACCEPTANCE OF
AGENDA**

M46-16

RESOLUTION by Member Frixel to adopt the agenda governing the September 13, 2016, Municipal Planning Commission Meeting, with the additions of Tiny Homes, and Marijuana land use laws and regulations, MMSA, M49-16 change from RR 63 to 62, as presented. CARRIED.

**APPROVAL OF
MINUTES**

Previous Regular Meeting Minutes

M47-16

RESOLUTION by Deputy Chairperson Svederus to adopt the minutes of the September 13, 2016 Municipal Planning Commission Meeting, as presented. CARRIED.

NEW BUSINESS

Development Permit

Development Permit Application W40-16 was received the Many Islands Recreation Development Society to develop a Stage/Storage Shed on NE 26-84-8 W6M.

M48-16

RESOLUTION by Member Janzen that the Municipal Planning Commission approves Development Permit Application W40-16 from the Many Islands Recreation Development Society to develop a Stage/Storage Shed at NE 26-84-8 W6M, subject to the following conditions:

1. Minimum setbacks from the Peace River:
 - a) 30.5m (100 feet)

2. **All structures moved in and/or constructed on site shall conform to all building code standards as set by Human Resources and Alberta Safety Codes Council.**
3. **All required Provincial/Federal Regulations to be adhered to.**

CARRIED.

Subdivision Referral

Subdivision referral 16-MK042 (S07-16) was received from Mackenzie Municipal Services Agency regarding the application for subdivision from Don & Helen Bala for a Farmstead Separation on the SW 11-87-6 W6M (4.046 hectares – 10 acres).

M49-16

RESOLUTION by Member Deputy Chairperson Svederus that the Municipal Planning Commission approves Subdivision referral 16-MK042 (S07-16) was received from Mackenzie Municipal Services Agency regarding the application for subdivision from Don & Helen Bala for a Farmstead Separation on the SW 11-87-6 W6M (4.046 hectares – 10 acres).

1. **Developer shall pay Clear Hills County the amount of \$200 for offsite County services per developable lot.**
2. **Any outstanding property taxes to be paid in full on the land proposed to be subdivided or arrangements made which are satisfactory to the County.**
3. **All required Provincial/Federal Regulations to be adhered to.**

CARRIED.

ADJOURNMENT

Chair adjourned the Municipal Planning Commission Meeting on December 13, 2016 at 9:15 a.m.

DATE

CHAIRPERSON

DATE

CHIEF ADMINISTRATIVE OFFICER

Clear Hills County

Request For Decision (RFD)

Meeting:	Municipal Planning Commission Meeting
Meeting Date:	January 10, 2017
Originated By:	Dallas Logan – Development Officer
Title:	SUBDIVISION REFERRAL – Nil-Ray Farms Ltd.
File:	61-02-02

DESCRIPTION:

Subdivision referral S08-16 (16MK043) was received from Mackenzie Municipal Services Agency regarding the application for a Farmstead Separation subdivision from Nil-Ray Farms Ltd. SW 19-84-4 W6M (13.77 hectares – 34.1 acres).

BACKGROUND:

- The proposal was presented and approved in principle at the July 17, 2016 Municipal Planning Commission meeting.

M30-16 RESOLUTION By Member Frixel that the Municipal Planning Commission support in principle any of the proposed subdivision options for a Farmstead Separation on SW 19-84-4 W6M. CARRIED.

- The proposal is to subdivide from the quarter section, a 13.77 hectare (34.1 acre) parcel to accommodate an existing farmstead.
- Located in the Agricultural District (AG1).
- The subject land is basically flat with a gentle slope from north to south.
- There is a well-developed farmstead located on site, which includes a residence, bar, numerous outbuildings, 2 dugouts and associated servicing. The proposed lots also contains a large bus area. The balance of the quarter is under cultivation.
- Access is gained via a local road to the north.
- The existing development is serviced with a dugout for water supply and an open discharge sewage disposal. Prior to a decision being issued, confirmation of type of sewage disposal and conformity to regulations will be a condition.
- The parcel size is much larger than what is normally approved for this type of use. The larger size is based in part on the location of the existing development, the length of the access road to the developed site and the fact that the area to the north and east is basically isolated from the balance by the existing development.

ATTACHMENTS:

- Subdivision application

OPTIONS:

- Deny the request
- Approve the subdivision request with conditions listed, or other conditions

RECOMMENDED ACTION:

That the Municipal Planning Commission ...recommend Mackenzie Municipal Services Agency approve the Farmstead Separation subdivision application from Nil-Ray Farms Ltd. SW 19-84-4 W6M (13.77 hectares – 34.1 acres), subject to the following condition(s):

- Developer shall pay Clear Hills County the amount of \$200 for offsite County services per developable lot.
- Any outstanding property taxes to be paid in full on the land proposed to be subdivided or arrangements made which are satisfactory to the County.
- All required Provincial/Federal Regulations to be adhered to.

Initials show support - Reviewed by: Development Officer:

Manager:

FORM 1
APPLICATION FOR SUBDIVISION

FOR OFFICE USE ONLY

Date of Receipt for Completed Form: DEC 19/16 File No.: 16 MK043 Fee Submitted: \$ 725.00

THIS FORM IS TO BE COMPLETED IN FULL WHEREVER APPLICABLE BY THE REGISTERED OWNER OF THE LAND THAT IS THE SUBJECT OF THE APPLICATION OR BY A PERSON AUTHORIZED TO ACT ON THE REGISTERED OWNERS BEHALF.

1. Name of registered owner of land to be subdivided: NIL-RAY FARMS LTD.
(Full Name in Block Capitals) Address and phone number: SUITE 303, 13220 St. Albert Trail NW
EDMONTON, AB, T5L 4W1

2. Name of agent (person authorized to act on behalf of registered owner), if any: BORDERLINE SURVEYS - JASON COATES
(Full Name in Block Capitals) Address and phone number: Box 2661, Fairview AB T0H 1L0

3. LEGAL DESCRIPTION AND AREA OF LAND TO BE SUBDIVIDED:
All/part of the SW 1/4 Sec 19 TWP 84 Range 4 West of 6 Meridian
Being all/parts of Lot _____ Block _____ Registered Plan No. _____ C.O.T. No. _____
Area of the above parcel of land to be subdivided 13.77 hectares 34.1 (acres).
Municipal Address if applicable #45051 Twp Rd 843.5

4. LOCATION OF LAND TO BE SUBDIVIDED:
a. The land is situated in the municipality of Clear Hills County
b. Is the land situated immediately adjacent to the municipal boundary? Yes _____ No
If "yes", the adjoining municipality is _____
c. Is the land situated within 0.8 kilometres (0.5 miles) of the right-of-way of a highway? Yes _____ No
If "yes", the Highway is No _____ the Secondary Road is No. _____
d. Does the proposed parcel contain or is it bounded by a river, stream, lake or other body of water or by a drainage ditch or canal?
Yes _____ No If "yes", state its name: _____
e. Is the proposed parcel within 1.5 kilometres (0.932 miles) of a sour gas facility? Yes _____ No

5. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED
Describe:
a. Existing use of the land FARM SITE
b. Proposed use of the land Residence.
c. The designated use of the land as classified under a land use bylaw A6

6. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED (WHERE APPROPRIATE)
a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) GENTLY sloped N→S
b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, etc - sloughs, creeks, etc) SEE TENT. Plan.
c. Describe the kind of soil on the land (sandy, loam, clay, etc) Clay

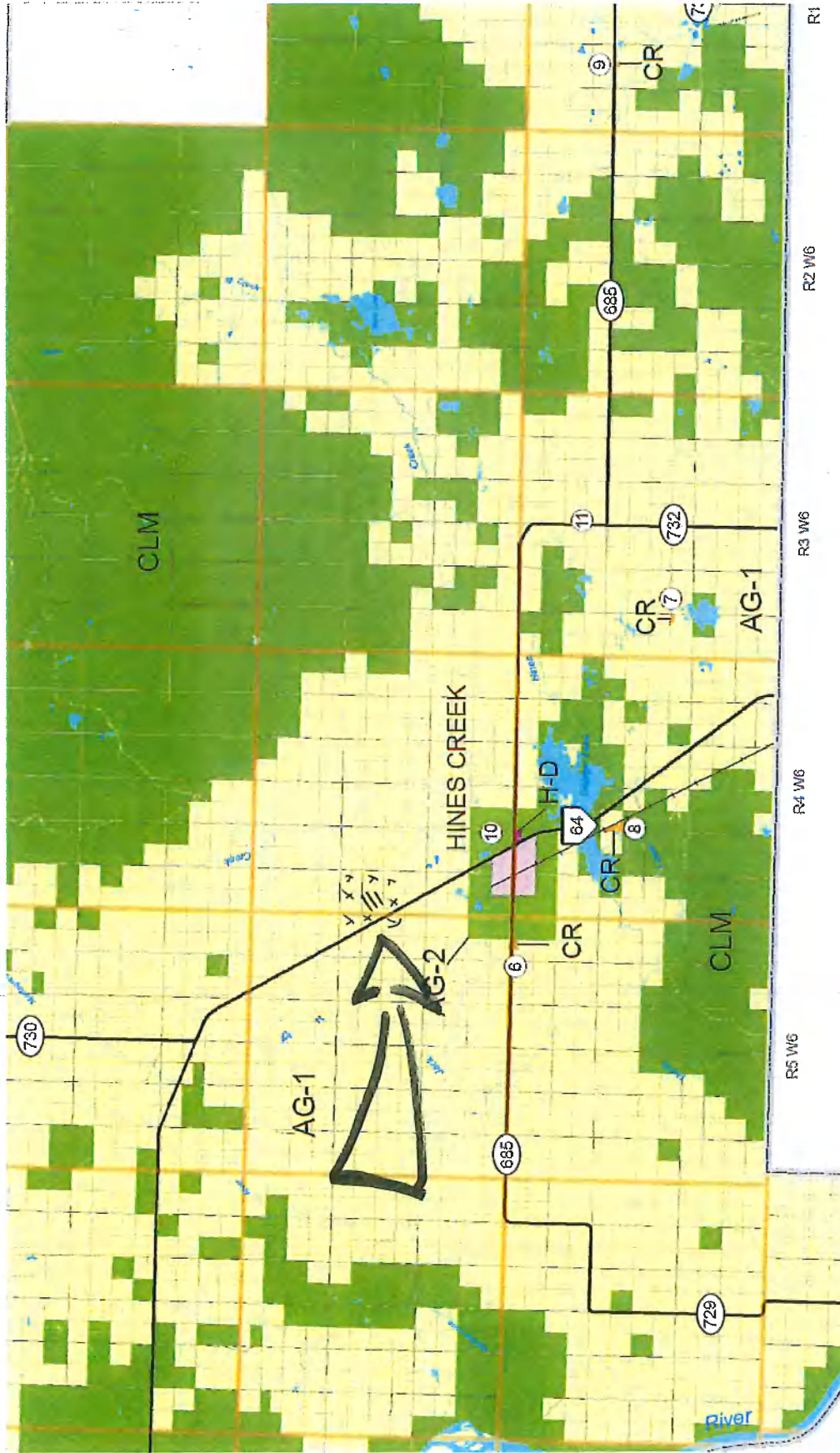
7. EXISTING BUILDINGS ON THE LAND TO BE SUBDIVIDED
Describe any buildings and any structures on the land and whether they are to be demolished or moved SEE Tentative Plan.

8. WATER AND SEWER SERVICES
If the proposed subdivision is to be served by other than a water distribution system and a wastewater collection system, describe the manner of providing water and sewage disposal.
Dugout Water + Septic Tank/ Discharge.

9. REGISTERED OWNER OR PERSON ACTING ON THE REGISTERED OWNER'S BEHALF
I, JASON COATES - BORDERLINE SURVEYS LTD. hereby certify that
(Full Name in Block Capitals)
 I am the registered owner, or
 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 as is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision.
Address: Box 2661, Fairview AB, T0H 1L0 Signature: JASON COATES
Phone No.: 780.330.9939 Date: Dec. 12/16

"LOCATION PLAN"



PROPOSED SUBDIVISION: FARMSTEAD SEPARATION

SW 19. 84. H. W6 M

CLARE HILLS COUNTY

MMSA FILE: 16MK043

MACKENZIE MUNICIPAL SERVICES AGENCY
SUBDIVISION COMMENTS

MUNICIPALITY: Clear Hills County DATE RECEIVED: December 19, 2016
FILE: 16MK043 EXPIRY DATE: February 19, 2017
LEGAL: SW 19.84.4.W6M TIME EXTENSION _____
APPLICANT/AGENT: Nil-Ray Farms Ltd.

PROPOSAL: The proposal is to subdivide from the quarter section, a 34.1 acre parcel to accommodate an existing farmstead.

ACREAGE IN TITLE: 158 acres

RESERVE REQUIREMENTS: Municipal reserve is not required.

PROXIMITY TO URBAN MUNIC: Approx. 2 miles north of Hines Creek.

SITE CHARACTERISTICS

C.L.I.: 100% 3c

TOPOGRAPHY: The subject land is basically flat with a gentle slope from north to south.

EXISTING USE/DEVELOPMENT: There is a well-developed farmstead located on site, which includes a residence, barn, numerous outbuildings, 2 dugouts and associated servicing. The proposed lots also contains a large bush area. The balance of the quarter is under cultivation.

ROAD ACCESS: Access is gained via the local road to the north. There is also a county road to the west which can provide access to the balance if required.

SERVICING: The existing development is serviced with a dugout for water supply and an open discharge sewage disposal. Prior to a decision being issued, confirmation of type of sewage disposal and conformity to regulations.

PARCEL SIZE: The parcel size is much larger than what is normally approved for this type of use. The larger size is based in part on the location of the existing development, the length of the access road to the developed site and the fact that the area to the north and east is basically isolation from the balance by the existing development. If the County feels that the parcel size is excessive the area to the north and east could be eliminated from the proposed parcel.

LEGISLATION

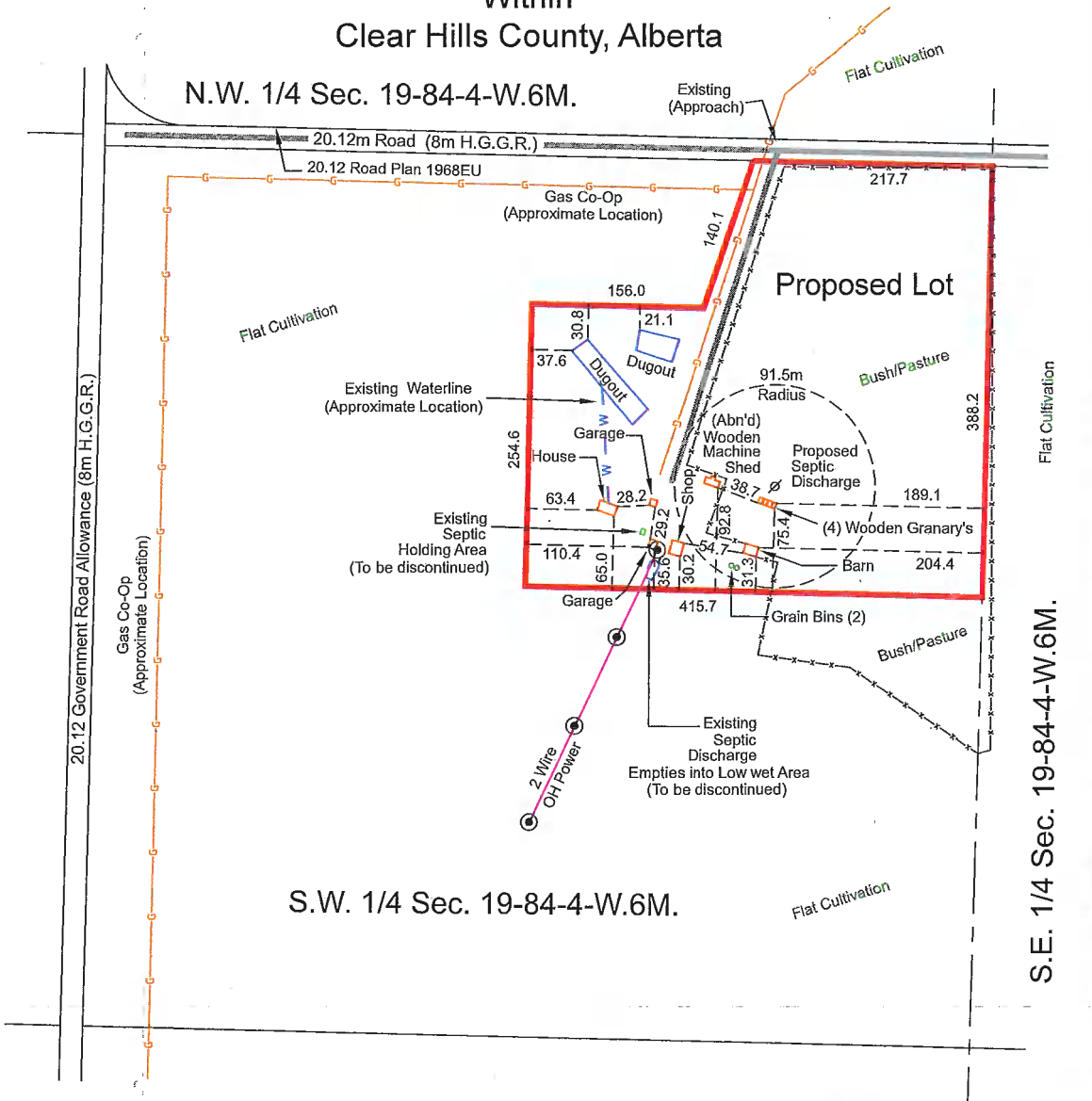
LAND USE BYLAW: Located in the Agricultural District (AG-1). Parcel size may be allowed under Section 10.4(3)(a)(i)(3)

MUNICIPAL DEVELOPMENT PLAN: May be allowed

SUBDIVISION REGULATIONS: No conflicts

MUNICIPAL GOVERNMENT ACT: No conflicts

**Tentative Plan Showing
Proposed Subdivision of
S.W. 1/4 Sec. 19, Twp. 84, Rge. 4, W.6M.
(For Farmyard Separation)
Within
Clear Hills County, Alberta**



LANDOWNER:

S.W. 19-84-4-W6:

NIL-RAY Farms Ltd.
C. of T. 162 186 062

PROPOSED LOT AREA:

Lot: 13.773 ha (34.07 Ac.)

**REGISTERED TITLE
ENCUMBRANCES**

752 006 253 - U.R.W. North Peace Gas Coop

Scale: 1:5000



LEGEND

- Lands Dealt With
- Road
- Fence
- Overhead 2-Wire Power
- Gas Co-op Line
- Power Pole
- ⊗ Septic Discharge/Field
- w — Private Water Line



10111 - 110th Street, Box 2661
Fairview, AB. 780 - 330 - 9939
www.borderlinesurveys.com

Page: 1 of 2

Date: Dec. 7th, 2016

Drawn by: JC

Job No.: 160074

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Proposed Subdivision of
S.W. 1/4 Sec. 19, Twp. 84, Rge. 4, W.6M.
(For Farmyard Separation)
Within
Clear Hills County, Alberta



Photo
Scale: 1:5000



Photo Date: 2012

**BORDERLINE
SURVEYS**

10111 - 110th Street, Box 2661
Fairview, AB. T8B 0K3 - 330 - 9939
www.borderlinesurveys.com

Page: 2 of 2

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