

AGENDA
CLEAR HILLS COUNTY
MUNICIPAL PLANNING COMMISSION MEETING

May 22, 2018

The regular meeting of the Municipal Planning Commission for the Clear Hills County will be held on Tuesday, May 22, 2018, in the Council Chambers, Worsley, Alberta, at 9:00 a.m.

- A) CALL TO ORDER**
- B) AGENDA**
 - A. *REGULAR MEETING May 22, 2018*..... 1
- C) ADOPTION OF THE PREVIOUS MINUTES**
 - A. *REGULAR MEETING OF May 8, 2018*..... 2
- D) BUSINESS ARISING OUT OF THE MINUTES**
- E) DELEGATION**
- F) BY-LAW**
- G) OLD BUSINESS**
- H) NEW BUSINESS**
 - A. *Subdivision Referral – C & P Hale* 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
TUESDAY, MAY 8, 2018**

PRESENT

Miron Croy	Chair
Amber Bean	Deputy Chair
Peter Frixel	Member
Raymond Wetmore	Member
David Janzen	Member

ABSENT

ATTENDING

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

CALL TO ORDER

Chairperson Croy called the meeting to order at 9:00 a.m.

**ACCEPTANCE OF
AGENDA**

M011-18

RESOLUTION by Member Bean to adopt the agenda governing the May 8, 2018, Municipal Planning Commission Meeting as presented. CARRIED.

**APPROVAL OF
MINUTES**

Previous Regular Meeting Minutes

M012-18

RESOLUTION by Member Janzen to adopt the minutes of the April 24, 2018 Municipal Planning Commission Meeting, as presented. CARRIED.

NEW BUSINESS

Development Permit Application W06-18

Development Permit Application W06-18 was received from William Giesbrecht to replace an existing second residence (mobile home with stick built) located at SE 1-85-10-W6M.

M013-18

RESOLUTION by Member Janzen that the Municipal Planning Commission approves Development Permit Application W06-18 from William Giesbrecht to replace an existing second residence (mobile home with stick built) located at SE 1-85-10W6M, subject to the following condition(s):

1. Minimum setbacks from the property lines:
 - a) Front yard, 40.8m (134 feet)
 - b) Side yard, 15.2m (50 feet)

c) Rear yard, 15.2m (50 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.**
- 4. All sewage disposal systems must comply with the Alberta Private Sewage Treatment and Disposal Regulations.**

CARRIED.

ADJOURNMENT

Chairperson Croy adjourned the May 8, 2018 Municipal Planning Commission Meeting at 9:02 a.m.

DATE

CHAIRPERSON

DATE

CHIEF ADMINISTRATIVE OFFICER

Clear Hills County

Request For Decision (RFD)

Meeting:	Municipal Planning Commission Meeting
Meeting Date:	May 22, 2018
Originated By:	Dallas Logan – Development Officer
Title:	SUBDIVISION REFERRAL – C & P Hale
File:	61-02-02

DESCRIPTION:

The Municipal Planning Commission is being requested to revisit Subdivision referral S01-18 (18MK007) an application for a Farmstead Separation subdivision from Curtis & Pattie Hale, NW 9-84-6-W6M that was denied at the April 24, 2018 Municipal Planning Commission Meeting.

BACKGROUND:

M010-18 RESOLUTION by Chairperson Croy that the Municipal Planning Commission deny the Farmstead Separation subdivision application from Curtis & Pattie Hale, NW 9-84-6-W6M (3.65 hectares – 9.0 acres), for the following reasons:

1. Existing driveway and access to the remainder of the quarter lies within an environmentally sensitive area.
2. The proposed side yard setback does not meet current Land Use Bylaw setback requirements.

CARRIED.

Options being proposed are:

1. Acquire the existing driveway as a public road
Considerations – costs for surveying and acquiring should be covered by developer
 - Public roads are maintained by municipality, does the driveway meet County road specs or would it require upgrading – costs?
2. Easement and encroachment agreement to keep the driveway as access to the proposed subdivision.
3. Include the driveway as part of the subdivision?

ATTACHMENTS:

- Email from Surveyor on behalf of applicants

OPTIONS:

1. Acquire the existing driveway as a public road.
2. Allow an easement and encroachment agreement for the driveway access.
3. Applicant expand the subdivision to include the driveway

RECOMMENDED ACTION:

That the Municipal Planning Commission ...recommend Mackenzie Municipal Services Agency approve the Farmstead Separation subdivision application from Curtis & Pattie Hale, NW 9-84-6-W6M (3.65 hectares – 9.0 acres) including the side yard setback variance as requested, subject to the following conditions:

1. a) Clear Hills County acquire the existing driveway as a public road at the expense of the developer.

Initials show support - Reviewed by: Development Officer:

Manager:

b) Developer shall provide an easement and encroachment agreement for the driveway as access to the proposed subdivision (and register this as a caveat against the property the driveway encroaches into).

c) Developer expand the subdivision to include the existing driveway.

2. Developer shall pay Clear Hills County the amount of \$200 for offsite County services per developable lot.

3. 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.

4. Developer to provide proof that a new sewage disposal system has been installed and the existing lagoon filled in.

5. All required Provincial/Federal Regulations to be adhered to.

Initials show support - Reviewed by: Development Officer:  **Manager:**

Dallas Logan

From: Karen.Diebert - MMSA <karen.diebert@mmsa.ca>
Sent: May-04-18 11:56 AM
To: Dallas Logan
Subject: FW: Curt Hale Subdivision

Good Morning Dallas,

Please see request from Jason at Borderline Surveys for the MPC to reconsider their recommendation regarding the Hale subdivision. It appears that he may have an alternative for the MPC to consider regarding the access.

Please advise accordingly. Thank you for your consideration of this request.

Karen Diebert | Manager

Mackenzie Municipal Services Agency

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From: Jason Coates [mailto:jwc.surveyor@gmail.com]
Sent: May-04-18 10:43 AM
To: Karen.Diebert - MMSA
Subject: Curt Hale Subdivision

Hi Karen,

I am asking for the MPC committee to reconsider their rejection of the subject subdivision. I think the concern about providing future road access to the proposed parcel and the balance of the quarter can be removed by utilizing the existing driveway instead of building the 50m portion of road allowance which passes through the coulee.

One solution would be to acquire the existing driveway as public road. This could be done in conjunction with the subdivision. The small portion of driveway in the adjacent quarter section would be surveyed as a public road "diversion".

A second solution would be to register an easement and encroachment agreement for the very same driveway in the adjacent quarter. This easement would be registered against the the adjacent quarter in favor of the new lot and balance of the quarter.

The first solution is preferable, but I would like to reserve the second option in the event that the cost of surveying the first option turns out to be prohibitive (due to missing pins).

Thanks,

Jason Coates, A.L.S.
President