

**AGENDA**  
**CLEAR HILLS COUNTY**  
**MUNICIPAL PLANNING COMMISSION MEETING**  
**September 10, 2019**

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The regular meeting of the Municipal Planning Commission for the Clear Hills County will be held on Tuesday, September 10, 2019, in the Council Chambers, Worsley Alberta, at 9:00 a.m.

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- A) CALL TO ORDER**
- B) AGENDA**
  - A. REGULAR MEETING September 10, 2019..... 1*
- C) ADOPTION OF THE PREVIOUS MINUTES**
  - A. REGULAR MEETING OF July 16, 2019..... 2*
- D) BUSINESS ARISING OUT OF THE MINUTES**
- E) DELEGATION**
- F) BY-LAW**
- G) OLD BUSINESS**
- H) NEW BUSINESS**
  - A. SUBDIVISION REFERAL – Pieter & Nancy Van Herk..... 4*
  - B. SUBDIVISION SIZE INQUIRY – Bruce & Jennifer Jingling-Farmstead Separation. 10*
- I) CORRESPONDENCE AND INFORMATION**
- J) CONFIDENTIAL ITEMS**
- K) ADJOURNMENT**

<b>Initials show support - Reviewed by: Development Officer:</b>	<b>Manager:</b> 
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**MINUTES OF CLEAR HILLS COUNTY  
MUNICIPAL PLANNING COMMISSION  
COUNTY COUNCIL CHAMBERS  
TUESDAY, JULY 16, 2019**

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**PRESENT**

Miron Croy	Chair
Amber Bean	Member
Peter Frixel	Member
Raymond Wetmore	Member

**ATTENDING**

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

**ABSENT**

David Janzen	Deputy Chair
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**CALL TO ORDER**

Chairperson Croy called the meeting to order at 9:04 a.m.

**ACCEPTANCE OF  
AGENDA  
M31-19**

**RESOLUTION by Member Bean to adopt the agenda governing the July 16, 2019, Municipal Planning Commission Meeting with the addition of H. B. Subdivision Inquiry David Isaac, as presented.  
CARRIED.**

**APPROVAL OF  
MINUTES  
Previous Regular  
Meeting Minutes  
M32-19**

**RESOLUTION by Member Frixel to adopt the minutes of the June 11, 2019 Municipal Planning Commission Meeting, as presented.  
CARRIED.**

**NEW BUSINESS  
Development Permit  
Application –  
4D Holdings Ltd.**

Development Permit Application W28-19 was received from 4D Holdings Ltd. (Barb Dous) to construct a Commercial Building Expansion and Access at Plan 802KS Block 1 Lot 4 & 5.

**M33-19**

**RESOLUTION by Member Bean that the Municipal Planning Commission approves Development Permit Application W28-19 from 4D Holdings Ltd. (Barb Dous) to construct a Commercial Building Expansion and Access at Plan 802KS Block 1 Lot 4 & 5, subject to the following conditions:**

1. Prior to start of construction, any outstanding property taxes to be paid in full on the land(s) proposed for development.
2. Minimum setbacks from the property lines:
  - a) Front yard, 3.0m (10 feet)
  - b) Rear yard, 3.0m (10 feet)

3. All structures moved in and/or constructed on site shall conform to all building code standards as set by Human Resources and Alberta Safety Council
4. All structures moved in and/or constructed on site shall be compatible in condition and aesthetic appearance with the existing commercial building(s).
5. All required County Land Use Bylaw and Provincial/Federal Regulations to be adhered to. **CARRIED.**

Subdivision Inquiry  
David Isaac

The residents of SE 27-85-7 W6M are seeking approval in principal to proceed with a large farmstead subdivision. The proposed subdivision would be 16.19 hectares (40 acres).

**M34-19**

**RESOLUTION** by Chairman Croy that the Municipal Planning Commission approves in principal the request from David Isaac to subdivide approximately 16.19 hectares (40 acres) from SE 27-85-7 W6M to accommodate Intensive Agriculture. **CARRIED.**

ADJOURNMENT

Chairperson Croy adjourned the July 16, 2019 Municipal Planning Commission Meeting at 9:14 a.m.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

# Clear Hills County

## Request For Decision (RFD)

Meeting:	Municipal Planning Commission Meeting
Meeting Date:	September 10, 2019
Originated By:	Audrey Bjorklund, CLGM – Acting Development Officer
Title:	<b>SUBDIVISION REFERRAL – Pieter &amp; Nancy Van Herk</b>
File:	61-02-02

### DESCRIPTION:

Subdivision referral S04-19 (19MK014) was received from Mackenzie Municipal Services Agency regarding the application for a Farmstead Separation subdivision from Pieter & Nancy Van Herk for W ½ 33-85-5-W6M (17.343 hectares – 42.856 acres).

### BACKGROUND:

- Located in the Agricultural District (AG-1). Permitted parcel size for a Farmstead Separation Subdivision is 10 acres. The MPC may permit larger parcels based on the need to accommodate related farm buildings, improvements and existing services.
- The proposal is to subdivide from the west side of the section the existing farmstead parcel of 17.343 hectares (42.856 acres).
- The farmstead separation will require a portion of the SW quarter and the NW quarter.
- The subject land is described as flat with poplars and yard site.
- There is no development on site. The land is partially tree covered and partially under cultivation. The balance of the quarter is under cultivation with the exception of the north east quadrant.
- The existing abandoned sewage lagoon will need to be reclaimed. The existing effluent pump out is regulation compliant and can remain as is.

### ATTACHMENTS:

- Subdivision application

### OPTIONS:

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

### RECOMMENDED ACTION:

RESOLUTION BY ....That the Municipal Planning Commission recommend Mackenzie Municipal Services Agency approve the Farmstead Separation subdivision Pieter & Nancy Van Herk for W ½ 33-85-5-W6M (17.343 hectares – 42.856 acres), subject to the following conditions:

1. 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.
2. All required County, Provincial and 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: July 23/19 File No.: 19MCK014 Fee Submitted: \$75.00

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: PIETER AND NANCY SUSANNE VAN HERK Address and phone number: Box 111, NINES CREEK, AB T0H 2A0.  
(Full Name in Block Capitals)

2. Name of agent (person authorized to act on behalf of registered owner), if any: BORDERLINE SURVEYS LTD Address and phone number: 11028-102 AVE BOX 2661 FAIRVIEW AB  
(Full Name in Block Capitals) T0H 1L0 780-835-4618.

3. LEGAL DESCRIPTION AND AREA OF LAND TO BE SUBDIVIDED: SW 33-85-5-W6  
 All/part of the 1/4 Sec 33 TWP 85 Range 5 West of 6 Meridian  
 Being all/parts of Lot / Block / Registered Plan No. / C.O.T. No. 952 092 630 + 3  
 Area of the above parcel of land to be subdivided 17.343 hectares 42.856 (acres). 952 092 630 + 2  
 Municipal Address if applicable 855041 Rg Rd. 54

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 X  
 If "yes", the adjoining municipality is \_\_\_\_\_  
 c. Is the land situated within 1.6 kilometres (1.0 miles) of the right-of-way of a highway? Yes X No \_\_\_\_\_  
 If "yes", the Highway is No 730 the Secondary Road is No. R254  
 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 X If "yes", state its name: \_\_\_\_\_  
 e. Is the proposed parcel within 1.5 kilometres (0.932 miles) of a sour gas facility? Yes \_\_\_\_\_ No X

5. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED  
 Describe:  
 a. Existing use of the land YARDSITE - FARMYARD  
 b. Proposed use of the land ACREAG - RESIDENTIAL  
 c. The designated use of the land as classified under a land use bylaw AG.

6. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED (WHERE APPROPRIATE)  
 a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) FLAT  
 b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, etc - sloughs, creeks, etc) POPLAR YARDSITE  
 c. Describe the kind of soil on the land (sandy, loam, clay, etc) CLAY

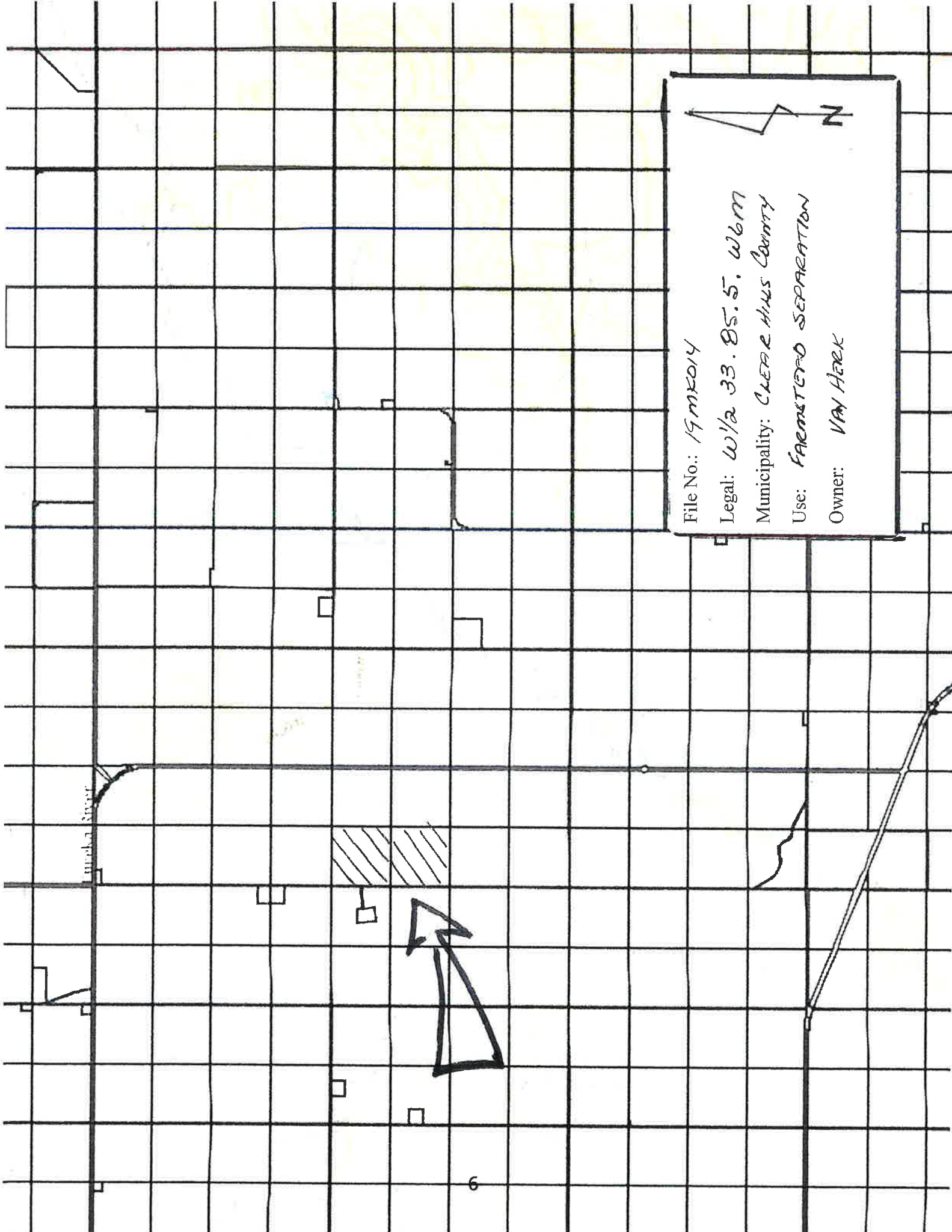
7. EXISTING BUILDINGS ON THE LAND TO BE SUBDIVIDED  
 Describe any buildings and any structures on the land and whether they are to be demolished or moved SEE TENTATIVE PLAN

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.  
EXISTING (aband) LAGOON TO BE RECLAIMED. EXISTING DUMP POND TO STAY

9. REGISTERED OWNER OR PERSON ACTING ON THE REGISTERED OWNER'S BEHALF  
 I, JASON COATES - BORDERLINE SURVEYS 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 11028-102 AVE FWV Signature: [Signature]  
 Phone No.: 780-835-4618 Date: JULY 15/2019

FURTHER INFORMATION MAY BE PROVIDED BY THE APPLICANT ON THE REVERSE SIDE OF THIS FORM



File No.: 19MX014

Legal: W/2 33. 85. 5. W6M

Municipality: CLEAR HILLS COUNTY

Use: FARMSTEAD SEPARATION

Owner: VAN HECK



MACKENZIE MUNICIPAL SERVICES AGENCY  
SUBDIVISION COMMENTS

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MUNICIPALITY: Clear Hills DATE RECEIVED: July 23, 2019

FILE: 19MK014 EXPIRY DATE: September 221, 2019

LEGAL: W 1/2 of 33.85.5.W6M TIME EXTENSION \_\_\_\_\_

APPLICANT/AGENT: Pieter & Naancy VanHerk

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PROPOSAL: The proposal is to subdivide from the half section, a 42.856 acre parcel to accommodate an existing farmstead. The parcel straddles the quarter section line and result in approx. 20 acres out of each quarter. This would also represent the first parcel from each quarter.

ACREAGE IN TITLE: SW 1/4 - 160 acres; NW 1/4 - 159 acres

RESERVE REQUIREMENTS: Reserve is not required

PROXIMITY TO URBAN MUNIC: Approx. 2miles south of Eureka River

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SITE CHARACTERISTICS

C.L.I.: NW 1/4 - 75% 0, 25% 3c, SW 1/4 - 95% 3c, 5% 0

TOPOGRAPHY: The subject land is described as basically flat.

EXISTING USE/DEVELOPMENT: There is a well developed farmstead located on site, including a residence garage, barn, granaries, dugout and associated servicing. Much of the site is bush covered and contains a minimal amount of cultivated land.

ROAD ACCESS: Access is gained via the local road to the west.

SERVICING: The existing development is serviced with the dugout for water supply and an open discharge sewage disposal system.

PARCEL SIZE: The parcel size is based on the location of the existing development and fenced areas. If the intention is to include the fenced area, the property line to the south should be extended to include the fence in its entirety. Although the parcel size is deemed to be excessive, the parcel is taken from 2 quarter sections and does not contain any agricultural lands.

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LEGISLATION

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

MUNICIPAL DEVELOPMENT PLAN: May be allowed

INTER MUNICIPAL DEV. PLAN: n/a

SUBDIVISION REGULATIONS: No conflicts

MUNICIPAL GOVERNMENT ACT: No conflicts

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(These comments are subject to change based on additional information that may be received).

Tentative Plan Showing  
Proposed Subdivision of  
N.W. 1/4 Sec. 33, Twp. 85, Rge. 5, W.6M.  
And  
S.W. 1/4 Sec. 33, Twp. 85, Rge. 5, W.6M.  
Within  
Clear Hills County



**LEGEND**

- Lands Dealt With
- Road
- Fence
- Overhead Power
- Natural Gas Line
- Power Pole
- Septic Tank/Discharge

**LANDOWNERS:**

N.W. 1/4 Sec. 33 Twp. 85 Rge. 5 W.6M.

Pieter Van Herk and Nancy Susanne Van Herk  
C. of T. 952 092 630 +3

S.W. 1/4 Sec. 33 Twp. 85 Rge. 5 W.6M.

Pieter Van Herk and Nancy Susanne Van Herk  
C. of T. 952 092 630 +2

**PROPOSED LOT AREA:**

N.W. 1/4 33-85-5-6 8.069 ha (19.940 Ac.)

S.W. 1/4 33-85-5-6 9.274 ha (22.916 Ac.)

Total: 17.343 ha (42.856 Ac.)

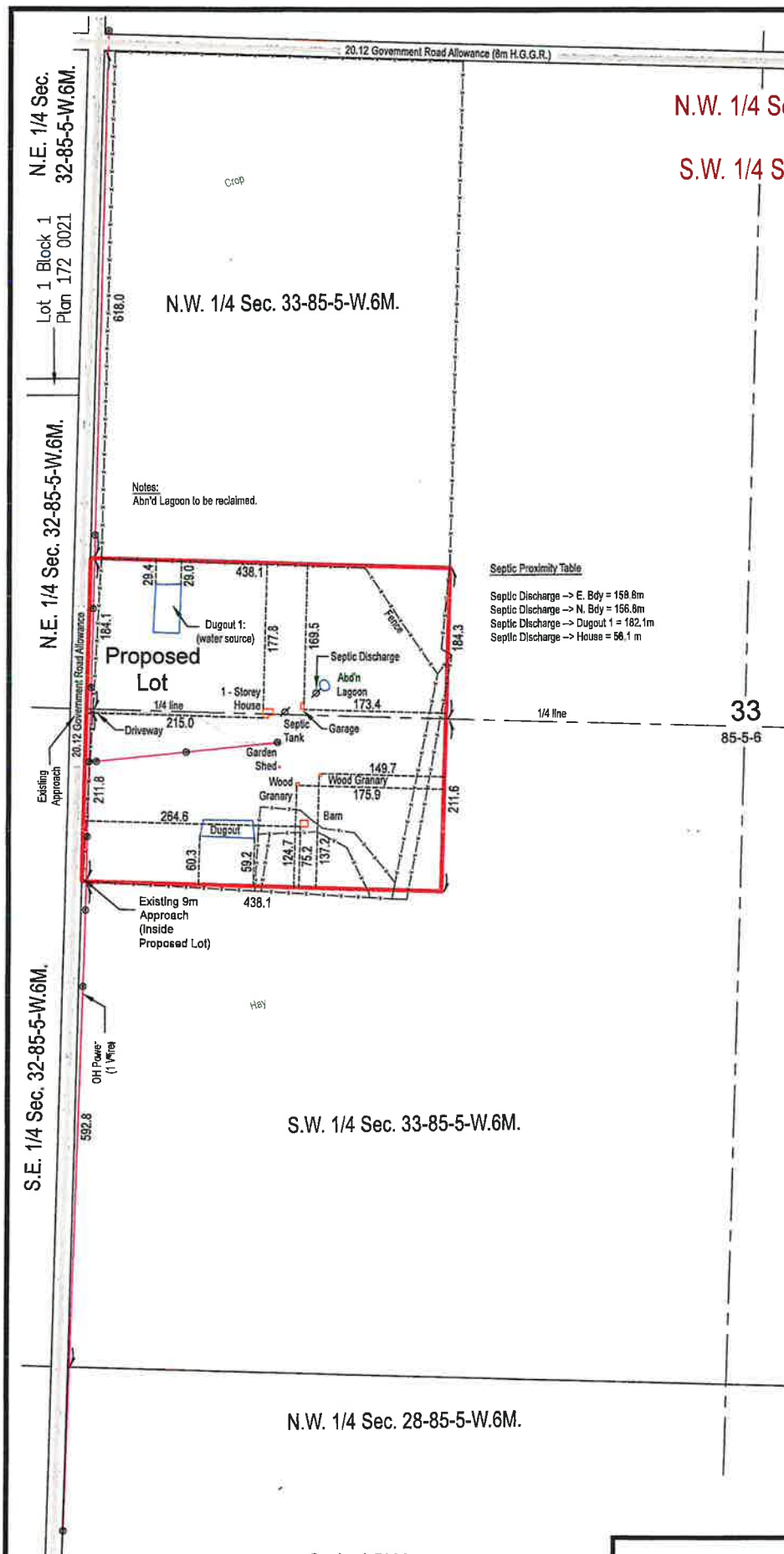
**REGISTERED TITLE ENCUMBERANCES (Affecting Extent Of Title)**

C. of T. 952 092 630 +3

No Encumbrances registered on title.

C. of T. 952 092 630 +2

No Encumbrances registered on title.



**Septic Proximity Table**

- Septic Discharge → E. Bdy = 158.8m
- Septic Discharge → N. Bdy = 156.8m
- Septic Discharge → Dugout 1 = 162.1m
- Septic Discharge → House = 98.1 m

Notes:  
Abn'n Lagoon to be reclaimed.

33

85-5-6

S.W. 1/4 Sec. 33-85-5-W.6M.

N.W. 1/4 Sec. 28-85-5-W.6M.

Scale: 1:5000





Tentative Plan Showing  
Proposed Subdivision of  
N.W. 1/4 Sec. 33, Twp. 85, Rge. 5, W.6M.  
And  
S.W. 1/4 Sec. 33, Twp. 85, Rge. 5, W.6M.  
Within  
Clear Hills County



Photo Date: 2012  
Scale: 1:5000

 11028 102th Ave, Box 2861 Fairview, AB, T80 - 330 - 6639 www.borderlinesurveys.com	Page: 2 of 2
	Date: July 9th, 2019
	Drawn by: SW
	Job No.: 190099

# Clear Hills County

## Request For Decision (RFD)

Meeting:	Municipal Planning Commission Meeting
Meeting Date:	September 10, 2019
Originated By:	Audrey Bjorklund, CLGM – Acting Development Officer
Title:	<b>SUBDIVISION SIZE INQUIRY –Bruce &amp; Jennifer Jingling – Farmstead Separation</b>
File:	61-02-02

### DESCRIPTION:

The residents of SW 29-85-5-W6M are seeking approval in principal to proceed with an oversized farmstead subdivision of 10.42 hectares (25.5 acres).

### BACKGROUND:

- Zoning: Agricultural (AG1)
- The residents are Bruce & Jennifer Jingling and the landowner is Maverick Livestock Company Ltd.
- The proposal is to subdivide an existing farmstead from the quarter.
- Section 10.4 Land Use Bylaw: AG 1 Farmstead Separation –
- AG 1 – Site Provisions, Residential Parcel size:
  - 3(a)(i)1. Farmstead Separation 1.2 ha (3 ac minimum) 4 ha (10 acre maximum)
  - 3(a)(i)3. In the case of parcels larger than the permitted parcel size the approval is at the discretion of the Development Authority based on the need to accommodate related farm buildings, improvements and existing services.
- This would be the first parcel out of the quarter.

### ATTACHMENTS:

1. Email from Surveyor
2. Tentative Plan (3 pages)
3. Aerial photo

### OPTIONS:

- A. Deny the request
- B. Support in principle the request from Bruce and Jennifer Jingling to subdivide approximately 10.42 hectares (25.5 acres) from SW 29-85-5-W6M to accommodate a farmstead separation.

### RECOMMENDED ACTION:

Resolution by that the Municipal Planning Commission ....

Initials show support - Reviewed by: Development Officer:

Manager:

**Audrey Bjorklund**

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**From:** Jason Coates <jwc.surveyor@gmail.com>  
**Sent:** August-28-19 10:10 AM  
**To:** Audrey Bjorklund  
**Cc:** c02@hotmail.com; Sandy Wards  
**Subject:** Preliminary Plan for Proposed Subdivision- Bruce and Jennifer Jingling (Our File 190046)  
**Attachments:** 190046 combined.pdf

Hi Audrey,

Attached please find a preliminary tentative plan for the subject subdivision. It is oversized (25.5 Acres) so I thought we should circulate it first for preapproval on the size.

While there are some options to shorten it E/W, it will still be oversized and that is due to yard layout. Most of the additional land to the west is not suitable for agriculture, and the land suitable to the yard lays easterly. In order to shrink it N/S dimension we would need to move the septic discharge south which would incur cost.

Finally to change the shape (to an odd shape to shave off area) would incur a greater cost to the survey component as much survey evidence is missing along the west side and this current shape qualifies for a descriptive plan which doesn't require us to deal with those survey issues further.

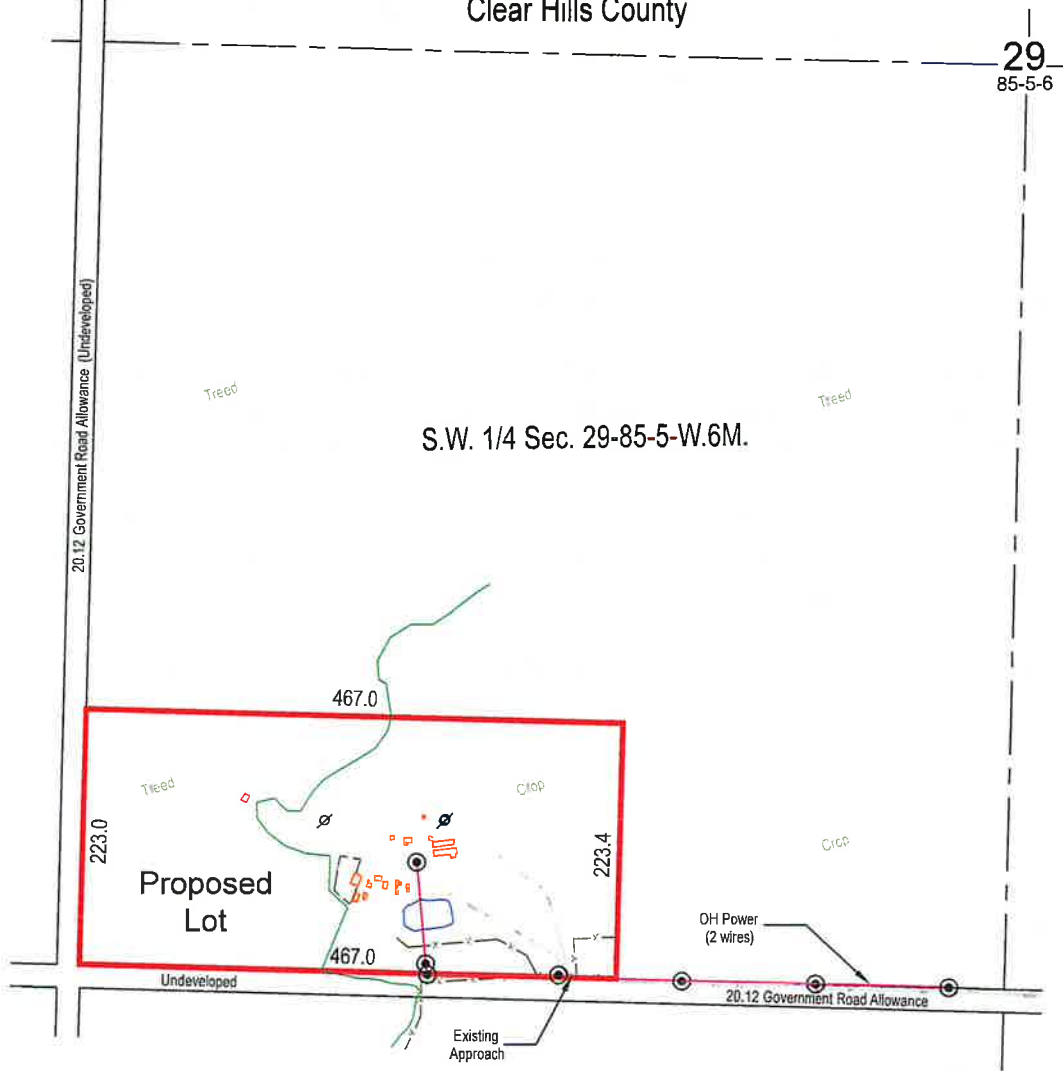
Once the shape and size is finalized we will finish the plan by adding offset ties, then submit a subdivision application.

Cheers,

Jason Coates, A.L.S.  
**President**

**BORDERLINE SURVEYS Ltd.**  
11028-102nd Ave. T0H1L0 | Box 2661 Fairview, Alberta  
cell 780.330.9939 | [www.borderlinesurveys.ca](http://www.borderlinesurveys.ca)

**Tentative Plan Showing  
Proposed Subdivision of  
S.W. 1/4 Sec. 29, Twp. 85, Rge. 5, W.6M.  
(For Farmyard Separation)  
Within  
Clear Hills County**



29  
85-5-6

S.W. 1/4 Sec. 29-85-5-W.6M.

**Proposed Lot**

**Legend:**

- Lands Dealt with
- Road
- - - Fence
- Overhead Power
- Power Pole
- Septic discharge/Tank

Scale: 1:5000



**LANDOWNER(S):**

S.E. 29-85-5-W6M:

Maverick Livestock Company Ltd.  
C. of T. 172 017 106

**PROPOSED LOT AREAS:**

Lot: 10.42 ha (25.75 Ac.)

**REGISTERED TITLE ENCUMBRANCES**

No registered title encumbrances.



**BORDERLINE SURVEYS**

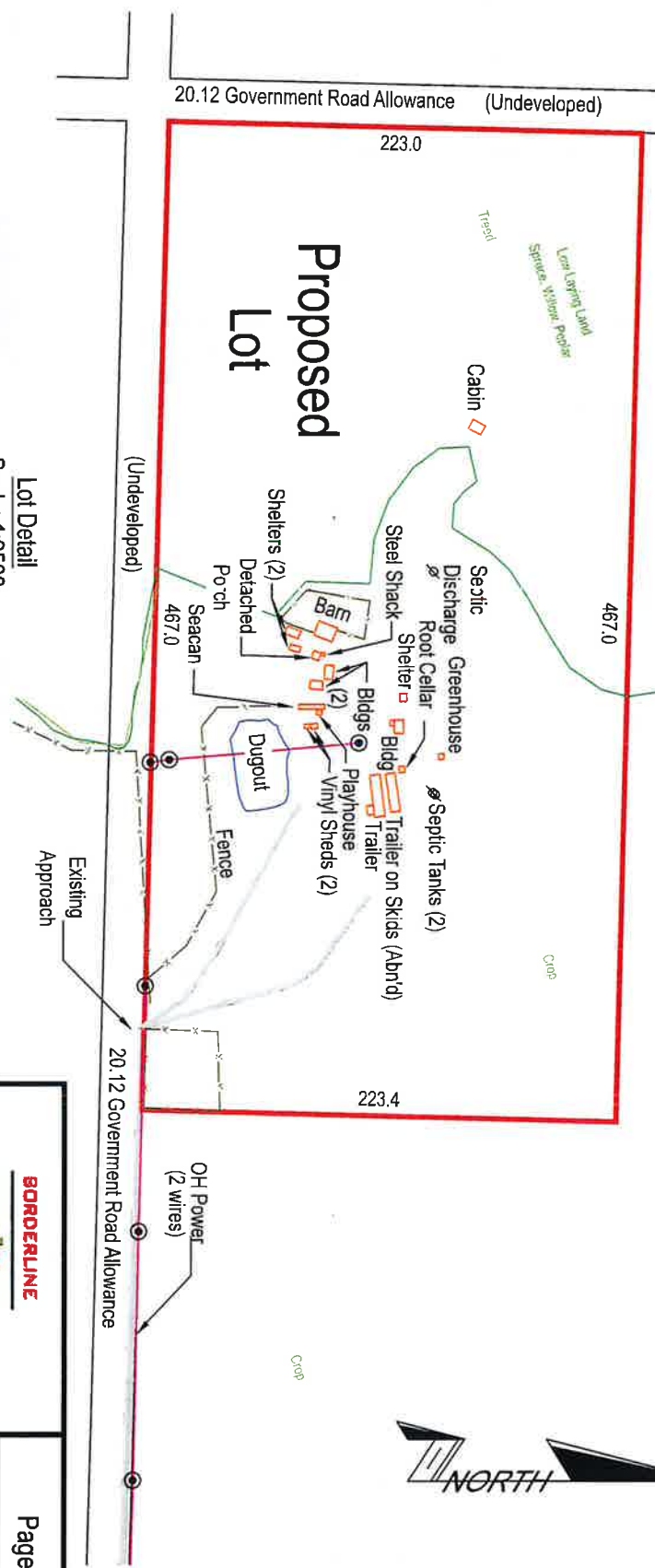
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Page: 1 of 4
August 23rd 2019
Drawn by: SW
Job No. : 190046

**Tentative Plan Showing**  
**Proposed Subdivision of**  
**S.W. 1/4 Sec. 29, Twp. 85, Rge. 5, W.6M.**  
**(For Farmyard Separation)**  
**Within**

Clear Hills County

S.W. 1/4 Sec. 29-85-5-W.6M.



Lot Detail  
 Scale: 1:2500

<p><b>BORDERLINE</b>  <b>SURVEYS</b></p> <p>11028 102th Ave, Box 2951                  Fairview, AB T8O - 8S5 - 4S18                  www.borderlinesurveys.com</p>	<p>Page: 2 of 4</p> <p>August 23rd 2019</p> <p>Drawn by: SW</p> <p>Job No. 190046</p>
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Job No. : 190046
Drawn by: SW
August 23rd 2019
Page: 3 of 4

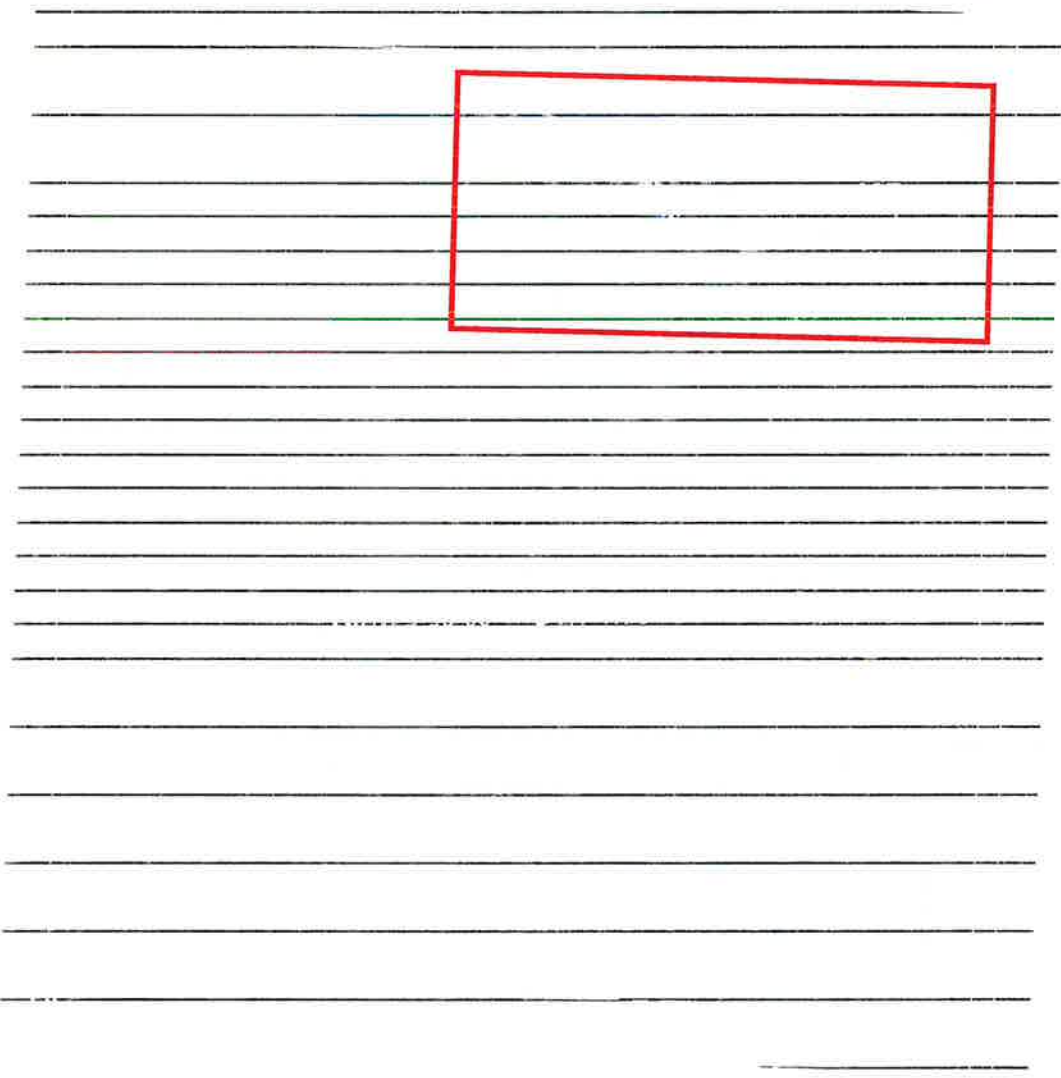

  
 BORDERLINE  
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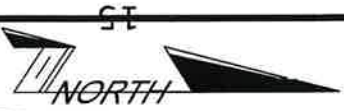


Note: (1) Lagoon was reclaimed earlier this year.  
 (2) Some buildings have been removed since the date of this photo.

Scale: 1:5000  
 Photo Date: 2012



**Tentative Plan Showing**  
**Proposed Subdivision of**  
**S.W. 1/4 Sec. 29, Twp. 85, Rge. 5, W.6M.**  
 (For Farmyard Separation)  
 Within  
 Clear Hills County



**Tentative Plan Showing**  
Proposed Subdivision of  
**S.W. 1/4 Sec. 29, Twp. 85, Rge. 5, W.6M.**  
(For Farmyard Separation)  
Within  
Clear Hills County

Proposed  
Lot

S.W. 1/4 Sec. 29-85-5-W.6M.

**BORDERLINE**  
**SURVEYS**

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Page: 4 of 4
August 23rd 2019
Drawn by: SW
Job No. 190046

Photo Lot Detail  
Scale: 1:2500

