

**AGENDA**  
**CLEAR HILLS COUNTY**  
**MUNICIPAL PLANNING COMMISSION MEETING**  
**November 26, 2019**

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The regular meeting of the Municipal Planning Commission for the Clear Hills County will be held on Tuesday, November 26, 2019, in the Council Chambers, 313 Alberta Avenue, Worsley Alberta, at 9:00 a.m.

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- A) CALL TO ORDER**
- B) AGENDA**
  - A. REGULAR MEETING November 26, 2019* ..... 1
- C) ADOPTION OF THE PREVIOUS MINUTES**
  - A. REGULAR MEETING OF October 22, 2019*..... 2
- D) BUSINESS ARISING OUT OF THE MINUTES**
- E) DELEGATION**
- F) BY-LAW**
- G) OLD BUSINESS**
- H) NEW BUSINESS**
  - A. SUBDIVISION SIZE INQUIRY –Dale Bickford – Farmstead Separation*..... 4
  - B. SUBDIVISION REFERRAL – M & L Lubeck - Farmstead Separation*..... 11
- 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, OCTOBER 22, 2019**

<b>PRESENT</b>	Miron Croy Amber Bean Peter Frixel Raymond Wetmore	Chair Member Member Member
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<b>ATTENDING</b>	Allan Rowe Audrey Bjorklund Bonnie Morgan	Chief Administrative Officer (CAO) Community Development Manager (CDM) Executive Assistant (EA)
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<b>ABSENT</b>	David Janzen	Deputy Chair
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**CALL TO ORDER**      Chairperson Croy called the meeting to order at 9:00 a.m.

**ACCEPTANCE OF  
AGENDA  
M40-19**

**RESOLUTION by Member Frixel to adopt the agenda governing the October 22, 2019, Municipal Planning Commission Meeting.  
CARRIED.**

**APPROVAL OF  
MINUTES  
Previous Regular  
Meeting Minutes  
M41-19**

**RESOLUTION by Member Wetmore to adopt the minutes of the September 10, 2019 Municipal Planning Commission Meeting, as presented.  
CARRIED.**

**NEW BUSINESS  
Subdivision Referral  
Maverick Livestock  
Company**

Subdivision referral S06-19 (19MK021) was received from Mackenzie Municipal Services Agency regarding the application for a Farmstead Separation subdivision from Maverick Livestock Company for SW 29-85-5-W6M (10.42 hectares – 25.75 acres)

Member Bean entered the meeting at 9:02 a.m.

**M42-19**

**RESOLUTION by Member Frixel that the Municipal Planning Commission recommend Mackenzie Municipal Services Agency approve the Farmstead Separation subdivision from Maverick Livestock Company for SW 29-85-5-W6M (10.42 hectares – 25.75 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. CARRIED.**

ADJOURNMENT

Chairperson Croy adjourned the October 22, 2019 Municipal Planning Commission Meeting at 9:03 a.m.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE

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

# Clear Hills County

## Request For Decision (RFD)

Meeting:	Municipal Planning Commission Meeting
Meeting Date:	November 26, 2019
Originated By:	Audrey Bjorklund, CLGM – Acting Development Officer
Title:	<b>SUBDIVISION SIZE INQUIRY –Dale Bickford – Farmstead Separation</b>
File:	61-02-02

### DESCRIPTION:

The owners of SW 34-83-12-W6M are seeking approval in principal to proceed with an oversized farmstead subdivision of 9.08 hectares (22.44 acres).

### BACKGROUND:

- Zoning: Agricultural (AG1)
- 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.
- Landowner intends to ask for an access easement to access the balance of the quarter following the abandoned 1977 access road to 7-35 and doesn't foresee issues securing the neighboring landowner's consent.

### ATTACHMENTS:

1. Email chain from Surveyor and MMSA
2. Compliance Letter for existing sewage lagoon
3. Tentative Plan (2 pages)
4. Aerial photos with plan outlined (2 pages)

### OPTIONS:

- A. Deny the request
- B. Support in principle the request from Dale Bickford to subdivide approximately 9.08 hectares (22.44 acres) from SW 34-83-12-W6M to accommodate a farmstead separation.

### RECOMMENDED ACTION:

Resolution by that the Municipal Planning Commission ....

<b>Initials show support - Reviewed by: Development Officer:</b>	<b>Manager:</b>
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## Audrey Bjorklund

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**From:** Karen.Diebert - MMSA <karen.diebert@mmsa.ca>  
**Sent:** October-02-19 9:11 AM  
**To:** 'Jason Coates'  
**Cc:** Audrey Bjorklund  
**Subject:** RE: Circulation of Proposed subdivision due to size- Dale Bickford SW <sup>35</sup>~~34~~-83-12-w6

Good Morning Jason,

Just to recap our discussion. No major problems providing a variance is obtained from the province for the sewage disposal. Parcel size will require approval from the County. There is a limited amount of agricultural land involved and as you mentioned, the land is low lying and wet. As to the access, we would have no issues with an easement access to provide access to the balance of the quarter.

Karen Diebert | Manager

**Mackenzie Municipal Services Agency**

Box 450, 5109-51 St. Berwyn, AB T0H 0E0

P: 780.338.3862 F: 780.338.3811

[Facebook](#) | [Twitter](#) | [LinkedIn](#) | [Website](#)

**From:** Jason Coates <jwc.surveyor@gmail.com>  
**Sent:** Tuesday, October 1, 2019 12:05 PM  
**To:** audrey@clearhillscounty.ab.ca  
**Cc:** Karen.Diebert - MMSA <karen.diebert@mmsa.ca>  
**Subject:** Circulation of Proposed subdivision due to size- Dale Bickford SW <sup>35</sup>~~34~~-83-12-w6

Hi Audrey/Karen,

I wanted to circulate this project for pre-approval based on size. It is about 22 acres, with the additional land being taken to the south to cover a seasonally wet area covered with willows and used as horse pasture as it is seasonally too wet to farm. The additional area to the east is to fit the lagoon and to give enough room so that a discharge system could be installed in the future if needed.

This project also has 2 other issues I have identified:

1. Variance is required for setback between lagoon and cistern. Lagoon was installed in 1965, so we will seek municipal affairs 10m variance.
2. Access to the balance of the quarter. It is not suitable or feasible to use the remainder of the road allowance going south to access the quarter as the land is low lying/wet and a neighbor has installed a dugout along the road allowance property line. We intend to ask for an access easement to access the balance of the quarter following the abandoned 1977 access road to 7-35. The applicant doesn't foresee issues with securing the neighboring landowners consent to this.

Karen- do you have any concerns ?

Cheers,

Jason Coates, A.L.S.

**October 9, 2019**

**File: 16570-P03-V01**

**Owner:**

Dale and Gail Bickford  
Box 48  
Bear Canyon, Alberta  
T0H 0B0

**Representative/Agent:**

Pat Friedel - Borderline Surveys  
11028 102nd Ave.  
Fairview, Alberta  
T0H 1L0

Dear Dale and Gail Bickford,

**Subject: Compliance Letter – SW ¼, Sec. 35, Twp. 83, Rge. 12, W6M**

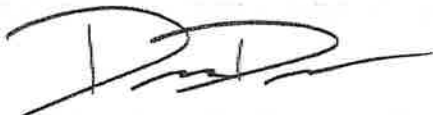
Your variance application was reviewed and it was concluded that a variance is not required for a distance reduction from the lagoon to the water source (cistern).

Specific to this site, we will consider the separation distance requirements closer to the era of installation which was 90 meters (300 ft.). The current distance of 90.2 meters to the existing cistern to the lagoon meets and exceeds the minimum distance required at the time of the installation.

This letter will serve as a notification that the existing lagoon will be in compliance to applicable standards upon verification of the separation distance.

Verification will be provided to Clear Hills County.

Yours truly,

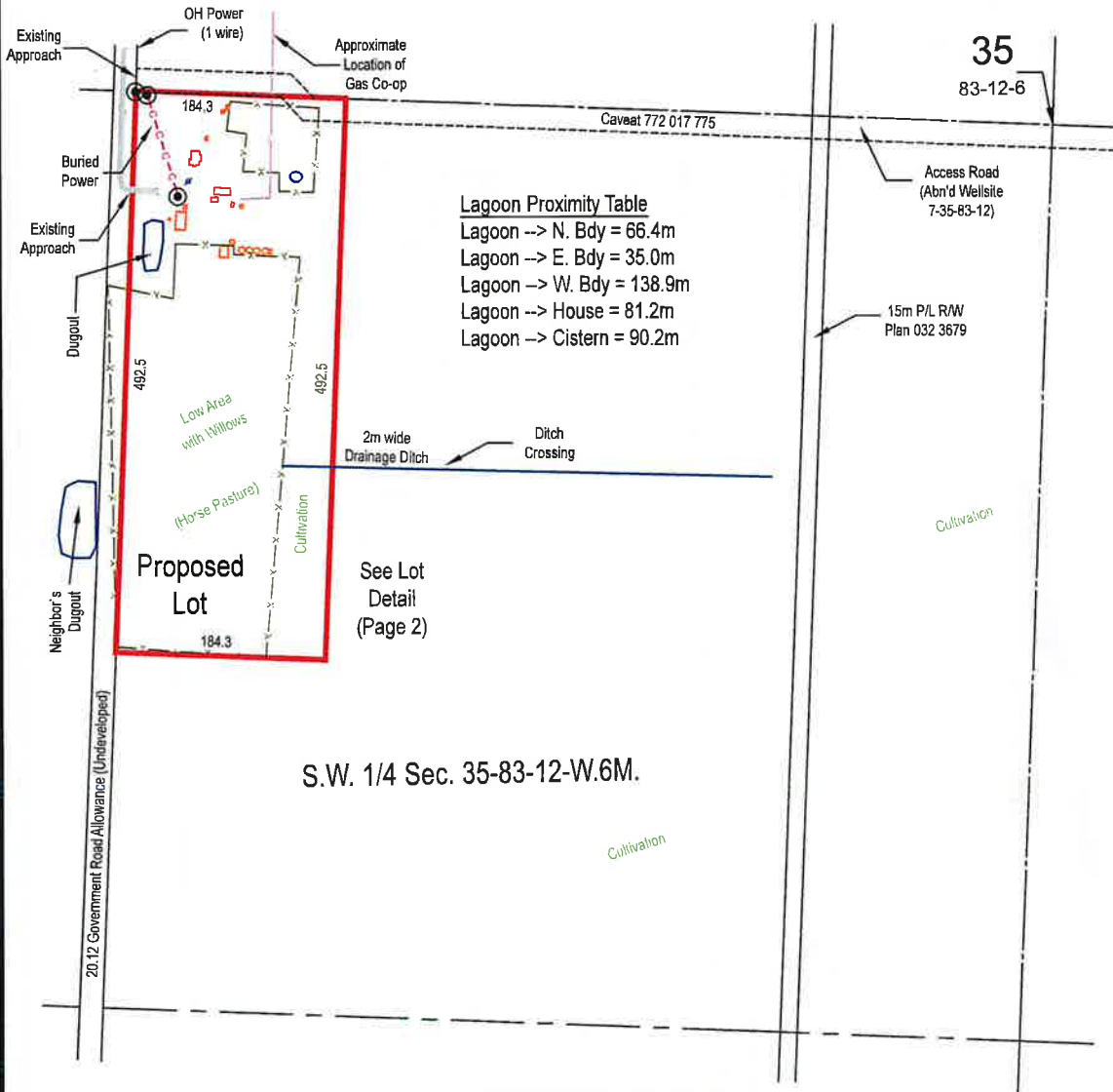


David G Dobson  
Technical Advisor – Private Sewage  
Codes and Standards | Municipal Affairs  
Public Safety | Community Technical Support  
Phone: 1-866-421-6929 | Fax: 780-427-8686

Enclosure

cc: Clear Hills County  
Pat Friedel – Borderline Surveys

**Tentative Plan Showing  
Proposed Subdivision of  
S.W. 1/4 Sec. 35, Twp. 83, Rge. 12, W.6M.  
(Farmyard Separation)  
Within  
Clear Hills County**



**LANDOWNER(S):**

SW 1/4 Sec. 35-83-12-6

Dale Leslie Bickford  
Gail Bickford

C. of T. 182 055 900

**REGISTERED TITLE  
ENCUMBERANCES**

1. 772 017 775  
Caveat (Surface Lease)  
Paramount Resources Ltd.
2. 812 216 344  
URW - North Peace Gas Co-op Ltd.
3. 022 046 554  
Caveat (R/W) - Marquee Energy Ltd.

**PROPOSED LOT AREA:**

Lot 1: 9.08 ha. (22.44 Ac.)



**LEGEND**

- Lands Dealt With
- Road
- Overhead Power
- Gas Co-op Line
- ⊙ Power Pole
- x — Fence
- ⊕ Cistern
- - - - - Underground Power



**BORDERLINE  
SURVEYS**

11028 102th Ave, Box 2661  
Forsyth, AB, T80 - 835 - 4618  
www.borderlinesurveys.com

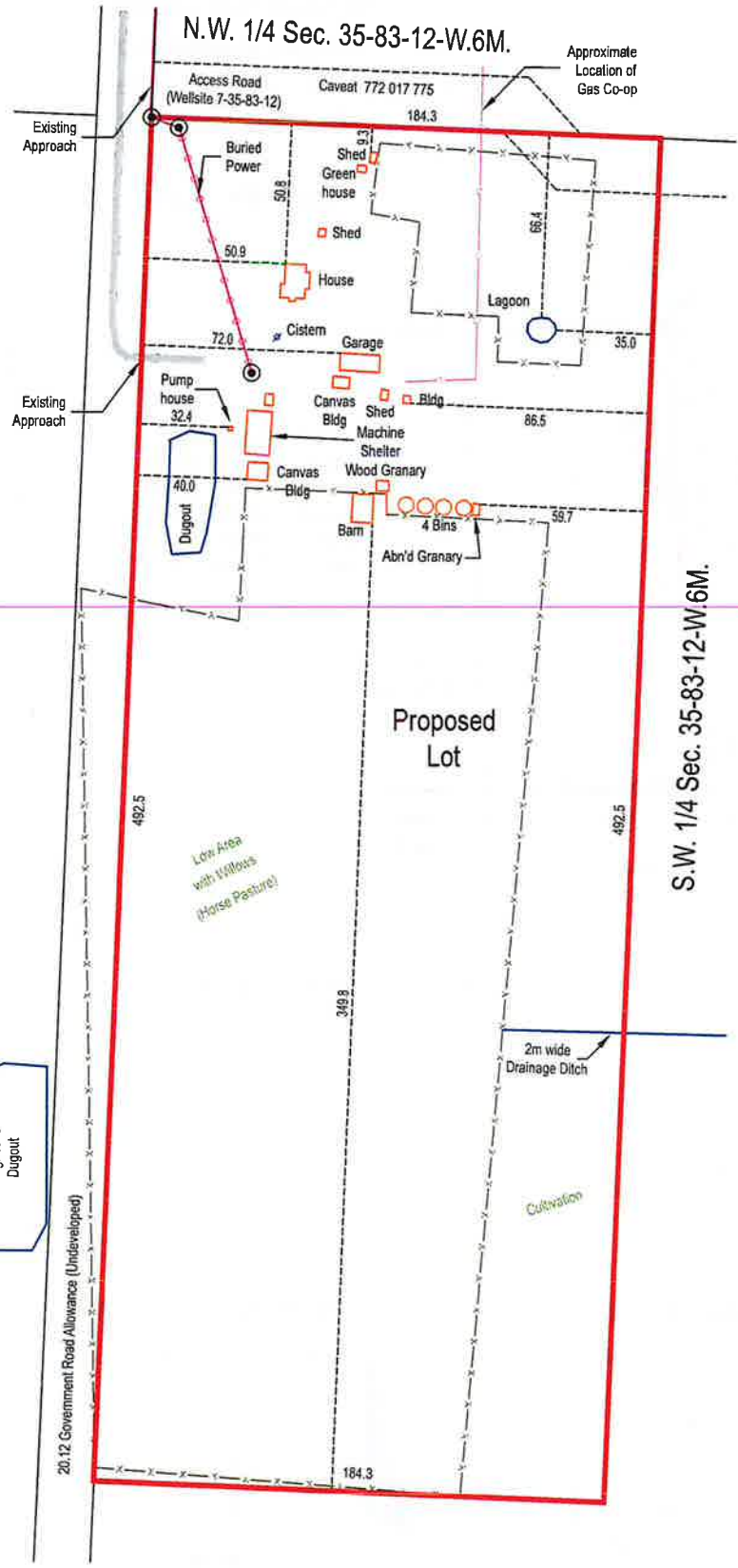
Page: 1 of 4

September 30th, 2019

Drawn by: SW

Job No. 190134

Tentative Plan Showing  
Proposed Subdivision of  
S.W. 1/4 Sec. 35,  
Twp. 83, Rge. 12, W.6M.  
(Farmyard Separation)  
Within  
Clear Hills County



Lot Detail  
1:2000

**BORDERLINE SURVEYS**

11028 102th Ave., Box 2661  
Fairview, AB. T80 - 835 - 4618  
www.borderlinesurveys.com

Page: 2 of 4
September 26th, 2019
Drawn by: SW
Job No. 190134



Tentative Plan Showing  
Proposed Subdivision of  
S.W. 1/4 Sec. 35, Twp. 83, Rge. 12, W.6M.  
(Farmyard Separation)  
Within  
Clear Hills County



Scale 1:5000  
Photo Date: 2017

**BORDERLINE**  
**SURVEYS**

11026 102th Ave, Box 2661  
Ferguson, AB, 780 - 835 - 4618  
www.borderlinesurveys.com

Page: 3 of 4

September 30th, 2019

Drawn by: SW

Job No. 190134

Tentative Plan Showing  
Proposed Subdivision of  
S.W. 1/4 Sec. 35,  
Twp. 83, Rge. 12, W.6M.  
(Farmyard Separation)  
Within  
Clear Hills County

Photo Lot Detail  
1:2000  
Photo Date: 2017



# Clear Hills County

## Request For Decision (RFD)

Meeting:	Municipal Planning Commission Meeting
Meeting Date:	November 26, 2019
Originated By:	Audrey Bjorklund, CLGM – Acting Development Officer
Title:	<b>SUBDIVISION REFERRAL – Melvin &amp; Lisa Lubeck</b>
File:	61-02-02

### DESCRIPTION:

Subdivision referral S07-19 (19MK023) was received from Mackenzie Municipal Services Agency regarding the application for a Farmstead Separation subdivision from Melvin and Lisa Lubeck for SW 26-85-7-W6M (4.05 hectares – 10 acres).

### BACKGROUND:

- Zoning: Agricultural (AG1)
- The proposal is to subdivide an existing farmstead from the quarter.
- The parcel size is in compliance with 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)
- This would be the first parcel out of the quarter.

### 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 from Melvin and Lisa Lubeck for SW 26-85-7-W6M (4.05 hectares – 10 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.

<b>Initials show support - Reviewed by: Development Officer:</b>	<b>Manager:</b>
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FORM 1  
APPLICATION FOR SUBDIVISION

FOR OFFICE USE ONLY  
Date of Receipt for Completed Form: Oct 29/19 File No.: 19MK023 Fee Submitted: \$ 225.00

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: MELVIN DAVIDINE LUBECK & LISA ROSE LUBECK Address and phone number: Box 68, WORSLEY, AB T0H 3W0.  
(Full Name in Block Capitals)

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

3. LEGAL DESCRIPTION AND AREA OF LAND TO BE SUBDIVIDED:  
All/part of the NW 1/4 Sec 26 TWP 85 Range 7 West of 6 Meridian  
Being all/parts of Lot          Block          Registered Plan No.          C.O.T. No. 852081361  
Area of the above parcel of land to be subdivided 4.05 hectares 10.00 (acres).  
Municipal Address if applicable 854073 RG RD. 72.

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          No X  
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 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 AGRICULTURAL  
b. Proposed use of the land 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) ROLLING PASTURE  
b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, etc - sloughs, creeks, etc) BUSH  
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  
House trailer to be moved off site and replaced with another.

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.  
SEWAGE LAGOON DUGOUT WATER.

9. REGISTERED OWNER OR PERSON ACTING ON THE REGISTERED OWNER'S BEHALF  
I, BORDERLINE SURVEYS / JASON COATES 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.: 780-835-4618 Date: Oct 11/19

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

MACKENZIE MUNICIPAL SERVICES AGENCY  
SUBDIVISION COMMENTS

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MUNICIPALITY: Clear Hills Cnty. DATE RECEIVED: October 29, 2019  
FILE: 19MK023 EXPIRY DATE: December 28, 2019  
LEGAL: NW 26.85.7.W6M TIME EXTENSION \_\_\_\_\_  
APPLICANT/AGENT: M & L Lubeck

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PROPOSAL: The proposal is to subdivide from the quarter section, a 10 acre parcel to accommodate an existing farmstead.

ACREAGE IN TITLE: 157.46 acres

RESERVE REQUIREMENTS: Reserve is not required.

PROXIMITY TO URBAN MUNIC: Approx. 8 miles south east of Worsley

PREVIOUS APPLICATIONS:

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SITE CHARACTERISTICS

C.L.I.: 100% 4t,5w

TOPOGRAPHY: The subject land is described as rolling pasture.

EXISTING USE/DEVELOPMENT: There is an existing farmstead location on site including a residence, greenhouse, several bins and sheds and associated servicing. The existing mobile home is to be removed and replaced with another one. The balance of the quarter is primarily bush and pasture.

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

SERVICING: The existing development is serviced with a dugout for water supply and a lagoon for sewage disposal. The setback requirements conform to the current regulations.

PARCEL SIZE: The parcel size is deemed to be appropriate for the intended use.

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LEGISLATION

LAND USE BYLAW: Located in the Agricultural District (AG-1) No conflicts

MUNICIPAL DEVELOPMENT PLAN: May be allowed

INTER MUNICIPAL DEV. PLAN:

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).

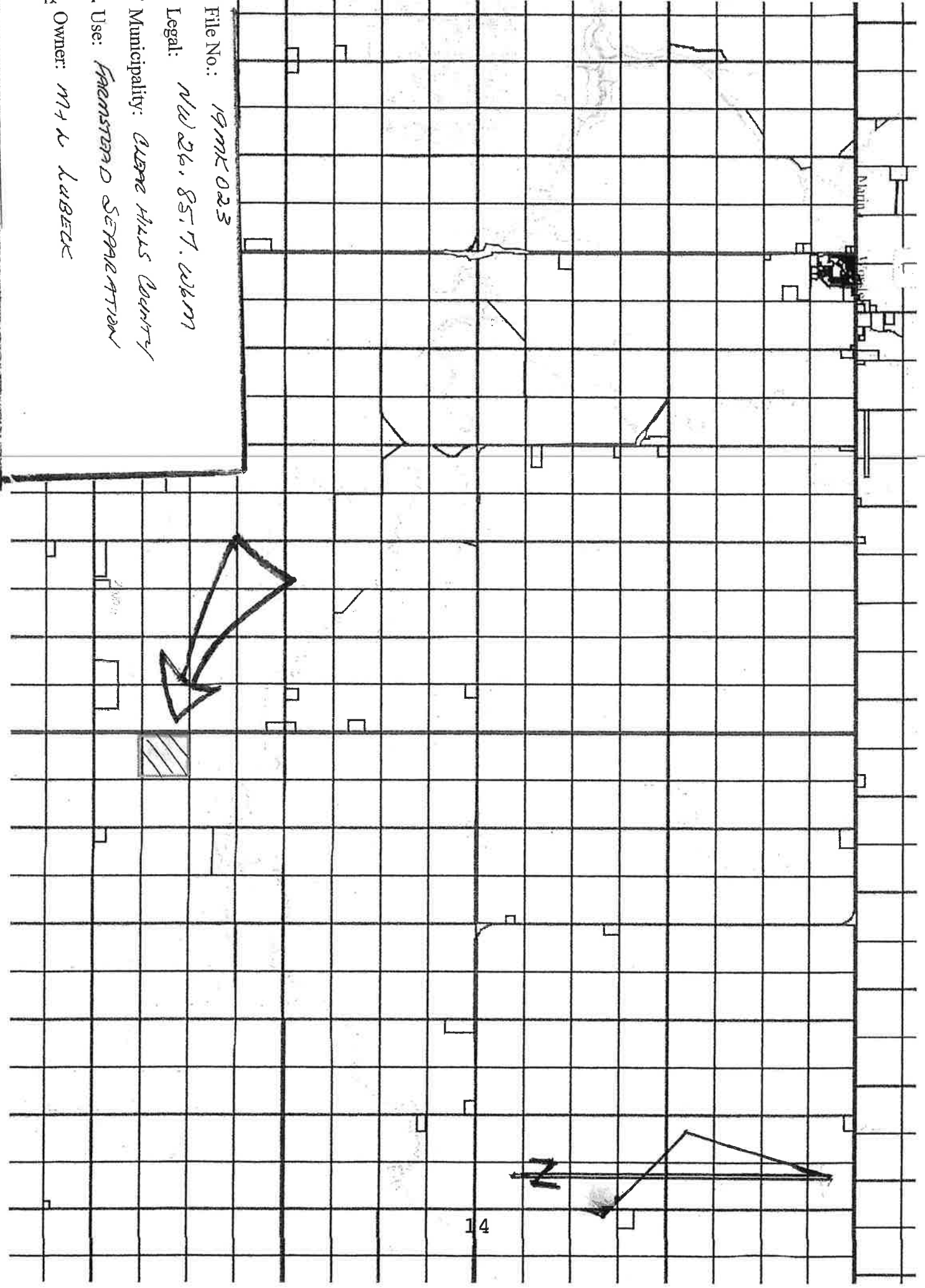
File No.: 19MK 023

Legal: NW 26, 85.7. 266M

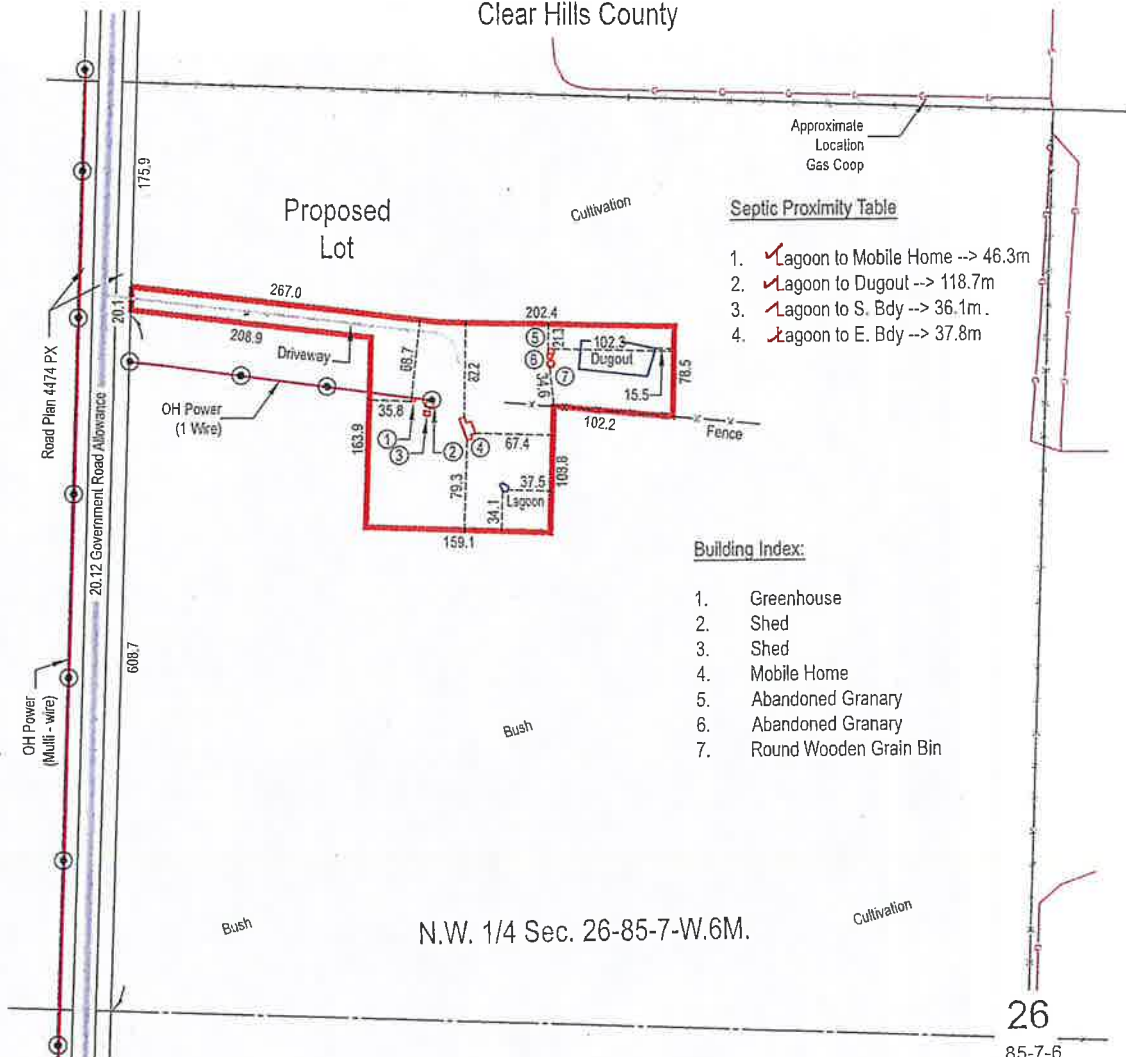
Municipality: ALBANY HILLS COUNTY

Use: FARMSTEAD SEPARATION

Owner: M + K LUBBEK



**Tentative Plan Showing**  
Proposed Subdivision of  
**N.W. 1/4 Sec. 26, Twp. 85, Rge. 7, W.6M.**  
(Farmyard Separation and New Lot)  
Within  
Clear Hills County



**Septic Proximity Table**

1. ✓ Lagoon to Mobile Home --> 46.3m
2. ✓ Lagoon to Dugout --> 118.7m
3. ✓ Lagoon to S. Bdy --> 36.1m .
4. ✓ Lagoon to E. Bdy --> 37.8m

- Building Index:**
1. Greenhouse
  2. Shed
  3. Shed
  4. Mobile Home
  5. Abandoned Granary
  6. Abandoned Granary
  7. Round Wooden Grain Bin

Scale: 1:5000

**PROPOSED LOT AREAS:**

Lot: 4.05 ha (10.00 Ac.)

**LANDOWNER(S):**

S.W. 26-85-7-W6M:

Melvin Dwayne Lubeck  
Lisa Rose Lubeck

C. of T. 852 081 361

**REGISTERED TITLE ENCUMBRANCES**

1. 912 352 121:  
Caveat (Easement) - Atco Electric Ltd.

2. 962 271 219:  
Caveat(R/W) - Alberta Power Limited

3. 112 250 075:  
Caveat (R/W) - Atco Electric Ltd.

**LEGEND**

- Lands Dealt With
- Road
- Fence
- Overhead
- Gas Co-op Line
- Power Pole



**BORDERLINE SURVEYS**

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September 17th, 2019
Drawn by: SW
Job No. 190129 R1

Tentative Plan Showing  
Proposed Subdivision of  
N.W. 1/4 Sec. 26, Twp. 85, Rge. 7, W.6M.  
(Farmyard Separation and New Lot)  
Within  
Clear Hills County



Photo Date: 2017

Scale: 1:5000

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	September 17th, 2019
	Drawn by: SW
	Job No. 190129 R1