

**AGENDA**  
**CLEAR HILLS COUNTY**  
**MUNICIPAL PLANNING COMMISSION MEETING**

**January 28, 2020**

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The regular meeting of the Municipal Planning Commission for the Clear Hills County will be held on Tuesday, January 28, 2020, 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 of January 28, 2020*..... 1
- C) ADOPTION OF THE PREVIOUS MINUTES**
  - A. *REGULAR MEETING of December 10, 2019*..... 2
- D) BUSINESS ARISING OUT OF THE MINUTES**
- E) DELEGATION**
- F) BY-LAW**
- G) OLD BUSINESS**
- H) NEW BUSINESS**
  - A. *SUBDIVISION REFERRAL – D & G Bickford- Farmstead Separation*..... 3
- 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, DECEMBER 10, 2019**

**PRESENT**

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

**ATTENDING**

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

**CALL TO ORDER**

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

**ACCEPTANCE OF  
AGENDA**

**M52-19**

**RESOLUTION by Member Janzen to adopt the agenda governing the December 10, 2019, Municipal Planning Commission Meeting as presented. CARRIED.**

**APPROVAL OF  
MINUTES**

Previous Regular Meeting Minutes  
**M53-19**

**RESOLUTION by Member Wetmore to adopt the minutes of the November 26, 2019 Municipal Planning Commission Meeting, as presented. CARRIED.**

**NEW BUSINESS**

Subdivision Referral –  
Melvin & Lisa Lubeck

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

**M55-19**

**RESOLUTION by Member Wetmore that the Municipal Planning Commission recommend Mackenzie Municipal Services Agency approve the Farmstead Separation subdivision from Melvin and Lisa Lubeck for NW 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. CARRIED.**

**ADJOURNMENT**

Chairperson Croy adjourned the December 10, 2019 Municipal Planning Commission Meeting at 9:07 a.m.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE

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

# Clear Hills County

## Request For Decision (RFD)

Meeting:	Municipal Planning Commission Meeting
Meeting Date:	January 28, 2020
Originated By:	Audrey Bjorklund, CLGM – Development Officer
Title:	<b>SUBDIVISION REFERRAL – Dale &amp; Gail Bickford</b>
File:	61-02-02

### DESCRIPTION:

Subdivision referral S01-20 (20-1MK001) was received from Mackenzie Municipal Services Agency regarding the application for a first parcel out (farmstead separation) subdivision from Dale & Gail Bickford for SW 35-83-12-W6M (9.08 hectares – 22.44 acres). Due to the cost of building the road to access the balance of the quarter the applicant is requesting that two alternatives be considered.

### BACKGROUND:

Developers requested Road Access alternatives;

- a) Easement agreement which would be located on the quarter to the north which would be in the same approximate location of the existing abandoned well site access road.
  - Excerpt from Subdivision Size referral RFD that was presented to MPC on November 26, 2019: 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.
- b) Consolidation of the balance of the SW 35 with SE 35.

both would require prior approval of the affected landowners

M50-19 RESOLUTION by Deputy Chair Frixel that the Municipal Planning Commission 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 on the condition that the developer is responsible for providing access to the balance of the quarter in the form of an access road constructed in compliance with Clear Hills County Policy 3202, 2.2 Local Roads, Class 2 Farmland access specifications, and registered as a road plan.

CARRIED.

- 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.

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

**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 application for a first parcel out (farmstead separation) subdivision from Dale & Gail Bickford for SW 35-83-12-W6M (9.08 hectares – 22.44 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. Access to the balance of the quarter to be provided in the form of an access road constructed in compliance with Clear Hills County Policy 3202, 2.2 Local Roads, Class 2 Farmland access specifications, and registered as a road plan.
3. All required County, Provincial and Federal Regulations to be adhered to.

**SAMPLE Condition # 2 if alternative access solution is approved by MPC:**

2. Developer to obtain an access easement to access the balance of the quarter following the abandoned 1977 access road to LSD 7-35-83-12-W6M, that is in NW 35-83-12-W6M.

OR

2. Developer to enter into a purchase agreement with the landowner of SE 35-83-12-W6M with the condition that the balance of SW 35-83-12-W6M will be consolidated with SE 35-83-12-W6M to provide access to the balance of the quarter of SW 35-83-12-W6M.

<b>Initials show support - Reviewed by: Development Officer:</b>	<b>Manager:</b>
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**MACKENZIE MUNICIPAL SERVICES AGENCY**  
Box 450 Berwyn AB T0H 0E0 • Phone: 780-338-3862 Fax: 780-338-3811 Email: info@mmsa.ca

**FORM 1**  
**APPLICATION FOR SUBDIVISION**

FOR OFFICE USE ONLY  
Date of Receipt for Completed Form: JAN 17/20 File No.: 20-10000 Fee Submitted: 275.00

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: DALE LESLIE BICKFORD; GAIL BICKFORD Address and phone number: Box 48, BEAR CANYON AB T0H 0E0  
(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: 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 SW 1/4 Sec. 35 TWP. 83 Range 12 West of 6 Meridian  
Being all/parts of Lot \_\_\_\_\_ Block \_\_\_\_\_ Registered Plan No. \_\_\_\_\_ C.O.T. No. 182 055 900  
Area of the above parcel of land to be subdivided 9.08 hectares 22.44 (acres).  
Municipal Address if applicable 835037 Rg Rd 102

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 AG 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 (bush, shrubs, tree stands, woodlots, etc. - sloughs, creeks, etc.) TREE STANDS, CROP  
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.  
SEE TENTATIVE PLAN

9. REGISTERED OWNER OR PERSON ACTING ON THE REGISTERED OWNER'S BEHALF  
JASON COATES hereby certify that  
 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 Signature: Jason Coates  
Phone No.: 780-835-4618 Date: JAN 9, 2020

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

MACKENZIE MUNICIPAL SERVICES AGENCY  
SUBDIVISION COMMENTS

MUNICIPALITY: Clear Hills County DATE RECEIVED: January 17, 2020  
 FILE: 20-1MK001 EXPIRY DATE: March 16, 2020  
 LEGAL: SW 35.83.12.W6M TIME EXTENSION \_\_\_\_\_  
 APPLICANT/AGENT: Dale & Gail Bickford

PROPOSAL: The proposal is to subdivide from the quarter section, a 22.44 acre parcel to accommodate an existing farmstead.

ACREAGE IN TITLE: 160 acres

RESERVE REQUIREMENTS: Reserve is not required.

PROXIMITY TO URBAN MUNIC: Approx. 1.5 miles north east of Bear Canyon.

PREVIOUS APPLICATIONS:

SITE CHARACTERISTICS

C.L.I.: 100% 3s

TOPOGRAPHY: The subject land is described as flat.

EXISTING USE/DEVELOPMENT: There is an existing farmstead location on site including residence, garage, green house, numerous outbuildings, pasture, and associated servicing.

ROAD ACCESS: Access is gained via the road allowance to the west. This road allowance is developed only as far as to provide access to the existing farmstead. Access will be required to the balance of the quarter. Clear Hills County MPC have reviewed the proposal and have asked for the road allowance to the west to be developed. Due to the cost of building this road, the applicant has requested that alternatives be considered. These are (a) an easement agreement which would be located on the quarter to the north which would be in the same approximate location of the existing abandoned well site access road or (b) consolidation of the balance of the SW 35 with the SE of Sec. 35. Either of these options would require prior approval from those landowners.

SERVICING: The existing development is serviced with a cistern for water supply and a sewage lagoon for sewage disposal. The property lines have been established to allow for the required setbacks.

PARCEL SIZE: The parcel size is larger than what is allowed under the land use bylaw. The applicant has indicated that the larger parcel size is based on the fact that the area to the south is low and wet and would not be considered better agricultural land. The area is currently used for pasture and therefore may be considered agricultural in nature.

20-1MK001  
Subdivision comments cont.  
Page 2

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LEGISLATION

LAND USE BYLAW: Located in the Agricultural District - 1 (AG-1). Section 10.4(3)(1) indicates a maximum parcel size of 10 acres. If the County sees merit in the application, approval may be considered based on the need to accommodate related farm buildings, improvements and servicing. If approval is recommended, please provide the reason as to why the variance is being granted.

MUNICIPAL DEVELOPMENT PLAN: May be allowed.

INTER MUNICIPAL DEV. PLAN: n/a

SUBDIVISION REGULATIONS: No conflicts

MUNICIPAL GOVERNMENT ACT: No conflicts

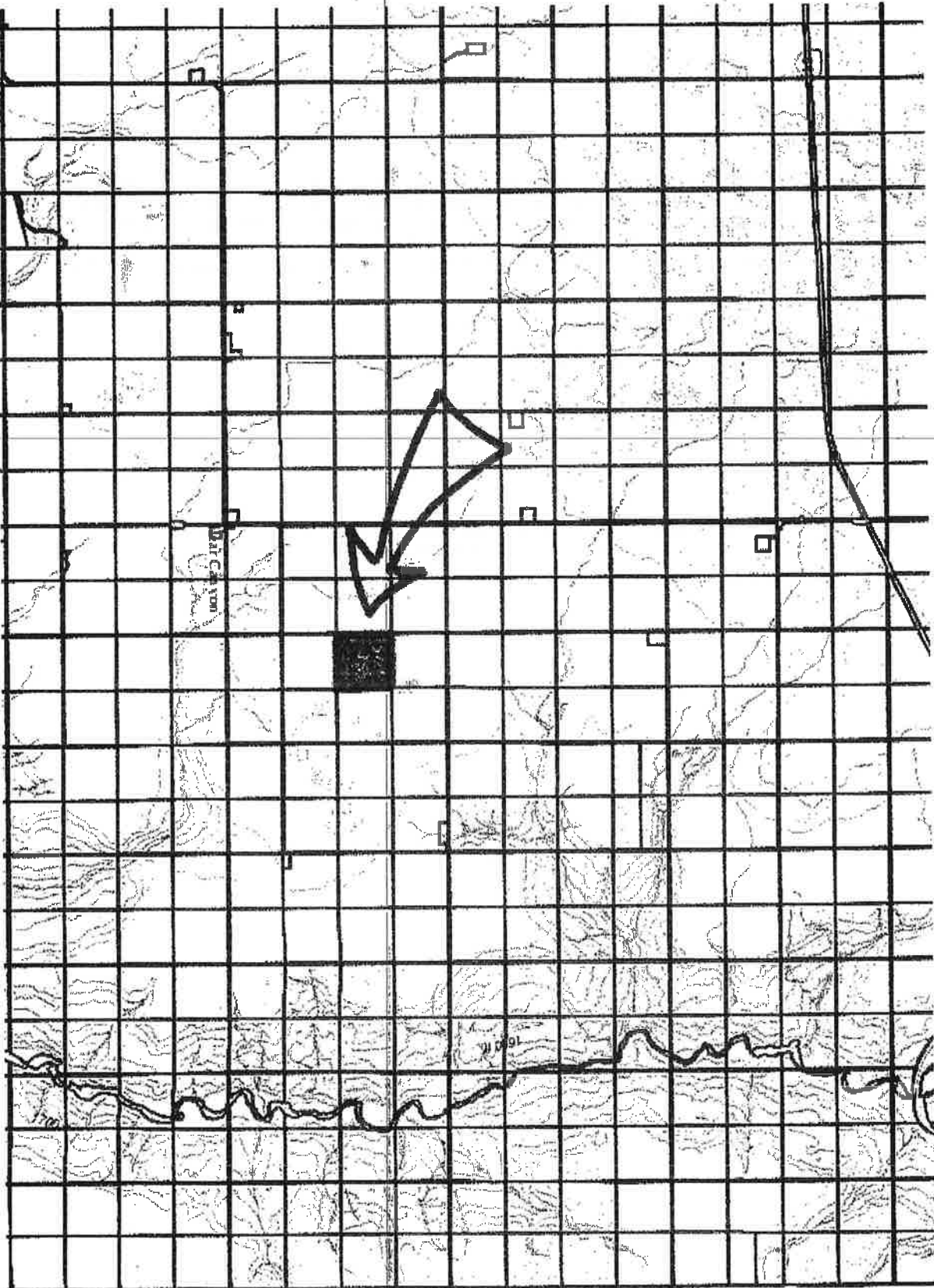
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(These comments are subject to change based on additional information that may be received).

01/21/2020 11:04

CLEAR HILLS COUNTY  
SW 35.93.12.06M

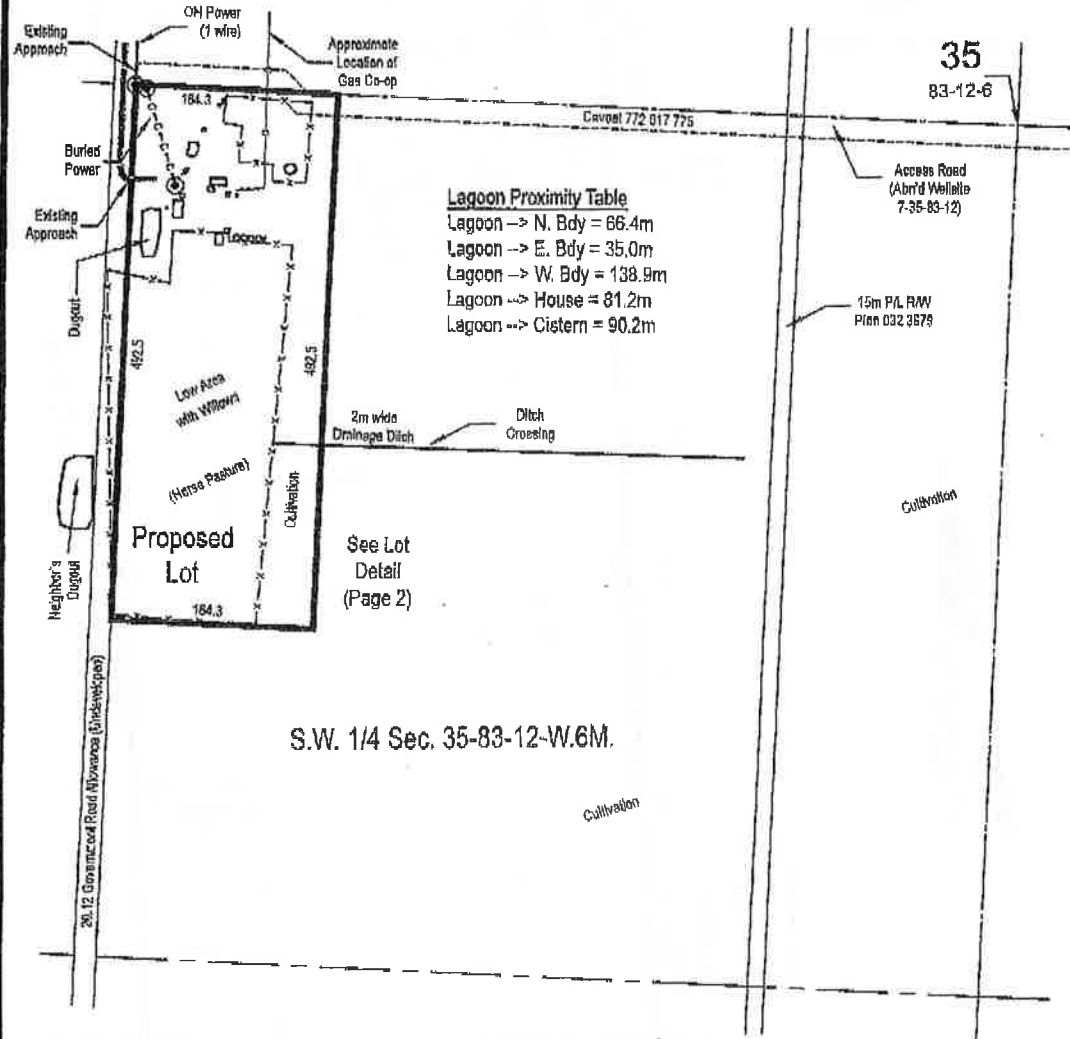
PROPOSED FRENCHMAN SEPARATION  
00-1M1001



"LOCATION MAP"



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



**Lagoon Proximity Table**

Lagoon -> N. Bdy = 66.4m
Lagoon -> E. Bdy = 35.0m
Lagoon -> W. Bdy = 138.9m
Lagoon -> House = 81.2m
Lagoon -> Cistern = 90.2m

See Lot Detail (Page 2)

**LANDOWNER(S):**

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

Dale Leslie Bickford  
Gail Bickford

C. of T. 182 055 000

**REGISTERED TITLE ENCUMBERANCES**

- 772 017 775  
Caveat (Surface Lesse)  
Paramount Resources Ltd.
- 812 216 344  
URW - North Peace Gas Co-op Ltd.
- 022 040 554  
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
- Fence
- Cistern
- Underground Power



**BORDERLINE SURVEYS**

11028 102th Ave, Box 2601  
Fairview, AB, T80 - 835 - 4018  
www.borderlinesurveys.com

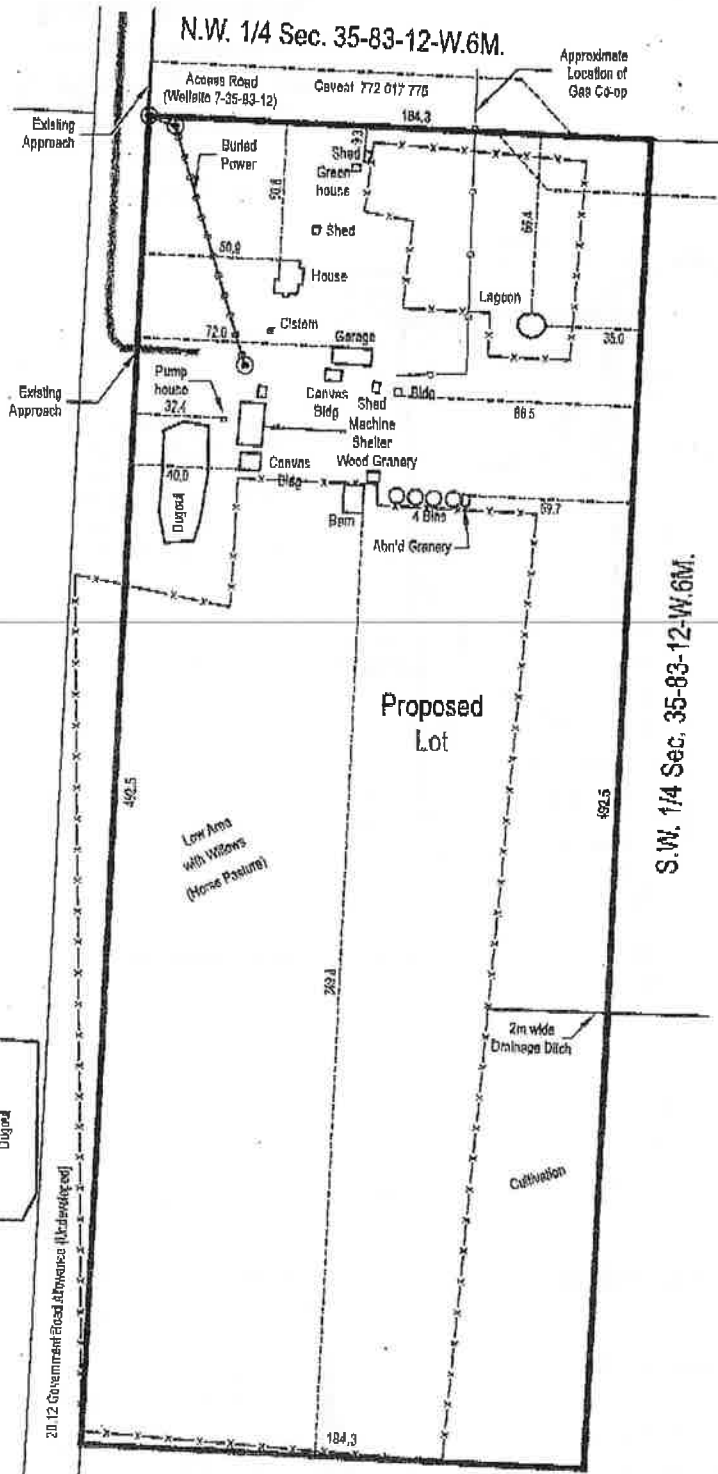
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September 30th, 2018

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

<b>BORDERLINE</b> <b>SURVEYS</b> <small>11020 102th Ave, Box 2681          Fairview, AS, 780 - 835 - 4618          www.borderlinesurveys.com</small>	Page: 2 of 4
	September 26th, 2019
	Drawn by: SW
	Job No. 180134

