

AGENDA
CLEAR HILLS COUNTY
MUNICIPAL PLANNING COMMISSION MEETING
September 28, 2021

The regular meeting of the Municipal Planning Commission for the Clear Hills County will be held on Tuesday, September 28, 2021, in the Council Chambers, 313 Alberta Avenue, Worsley Alberta, at 9:00 a.m.

A) CALL TO ORDER

B) AGENDA

A. REGULAR MEETING of September 28, 2021 1

C) ADOPTION OF THE PREVIOUS MINUTES

A. REGULAR MEETING of August 10, 2021 2

D) BUSINESS ARISING OUT OF THE MINUTES

E) DELEGATION

F) BY-LAW

G) OLD BUSINESS

H) NEW BUSINESS

A. SUBDIVISION APPLICATION – K & R Koch 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, AUGUST 10, 2021**

PRESENT

Miron Croy	Chairperson
Abe Giesbrecht	Member
Raymond Wetmore	Member
David Janzen	Deputy Chairperson
Peter Frixel	Member

ABSENT

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**

M26-21(08/10/21)

RESOLUTION by Deputy Chair Janzen to adopt the agenda governing the August 10, 2021, Municipal Planning Commission Meeting, as presented. CARRIED.

**APPROVAL OF
MINUTES**

Previous Regular
Meeting Minutes

M27-21(08/10/21)

RESOLUTION by Member Wetmore to adopt the minutes of the July 13, 2021, Municipal Planning Commission Meeting, as presented. CARRIED.

NEW BUSINESS

Development Permit
Second Dwelling
Accounting Business

Lisa Driedger got a Development permit W20-21 to place a second dwelling – Mobile Home and operate a homebased accounting business at Plan 8720504, Block 1, Lot 1 in the hamlet of Cleardale.

M28-21(08/10/21)

RESOLUTION by Deputy Chair Janzen that the Municipal Planning Commission approves Development Permit Application W20-21 from Lisa Driedger to develop a second dwelling (manufactured home) at Plan 8720504 Block 1 Lot 1 in the hamlet of Cleardale to operate a homebased accounting business, subject to the following conditions:

1. **Developer to obtain a Roadside Development Permit from Alberta Transportation.**
2. **Prior to start of construction, any outstanding property taxes to be paid in full on the land(s) proposed for development.**
3. **Minimum setbacks from the property lines:**
 - a) **Front yard, as specified by Alberta Transportation but in no case less than 40.8m (134 feet) from the road right of way**
 - b) **Internal Front yard, 7.6m (25 feet) from street/service road**
 - c) **Side yard, 6.1m (20 feet)**
 - d) **Rear yard, 6.1m (20 feet)**
4. **The second dwelling shall be placed no closer than 4.5 meters (15 feet) from the existing dwelling.**
5. **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, this includes but is not limited to obtaining electrical, plumbing and gas permits.**
6. **Dwelling to be connected to the Cleardale water and sewer system, and cost of connection to be borne by the developer.**
7. **Signage:**
 - a) **No more than one sign per dwelling advertising the home occupation.**
 - b) **Size of sign not to exceed 1.1 square meters (12 square feet) in area.**
8. **All required Municipal Land Use Bylaw, Provincial and Federal Regulations to be adhered to.**

CARRIED.

ADJOURNMENT

Chairperson Croy adjourned the August 10, 2021 Municipal Planning Commission Meeting at 9:16 a.m.

DATE

CHAIRPERSON

DATE

CHIEF ADMINISTRATIVE OFFICER

Clear Hills County

Request For Decision (RFD)

Meeting:	Municipal Planning Commission Meeting
Meeting Date:	September 28, 2021
Originated By:	Audrey Bjorklund
Title:	SUBDIVISION REFERRAL – Kent and Rachelle Koch
File:	61-02-02

DESCRIPTION:

Subdivision referral 21MK034 was received from Mackenzie Municipal Services Agency regarding the application for a Farmstead Separation, first parcel out subdivision from Kent and Rachelle Koch for NE 24-83-1-W6M (4.96 hectares – 12.3 acres).

BACKGROUND:

- Zoning: Agricultural District 1 (AG1)
- The proposed parcel size is based on setback requirements.
 - The parcel size for a farmstead separation is a maximum of 10 acres. For parcels larger than permitted parcel size the approval is at the discretion of the development authority (Municipal Planning Commission).
- Road Access is gained via Hwy 685. The application has been referred to Alberta Transportation for their comment on highway requirements or concerns.
- There is an existing approach to the balance of the quarter off Range Road 10 south of Hwy 685.
- The registered landowners have agreed to the application for subdivision.
- Topography: flat
- Servicing: Water source: well

Septic: Discharge system and 2 tanks

ATTACHMENTS:

- Subdivision application

OPTIONS:

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

RECOMMENDED ACTION:

RESOLUTION BYthat the Municipal Planning Commission recommend Mackenzie Municipal Services Agency approve the Farmstead Separation, first parcel out subdivision from Kent and Rachelle Koch for NE 24-83-1-W6M (4.96 hectares – 12.3 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:

SEPT. 7, 2021

File No.:

21MK034

Fee Submitted:

\$ 725

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:

Applicant: Kent and Rachelle Koch

Registered Landowner: John E Daly and Lori Ann Daly

(Full Name in Block Capitals)

Address and phone number:

Applicant: PO Box 240, Brownvale, AB T0H 0L0

780-997-2077 or 780-618 5700

Registered Landowner: PO Box 1716, Grimshaw, AB T0H 1W0

780-618 5886

2 Name of agent (person authorized to act on behalf of registered owner), if any:

Borderline Surveys Ltd./Jason Coates

(Full Name in Block Capitals)

Address and phone number:

Box 2661, Fairview, AB T0H 1L0 780-835-4618

3 LEGAL DESCRIPTION AND AREA OF LAND TO BE SUBDIVIDED.

All/part of the NE 1/4 Sec. 24 TWP 83 Range 1 West of 6 Merid an

Being all/part of Lot Block Registered Plan No. C.O.T. No. 122 347 969

Area of the above parcel of land to be subdivided 4.96 hectares 12.3 (acres)

Municipal Address if applicable 10021, HWY 685

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 X No

If "yes" the adjoining municipality is M.D. Peace No. 135

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 685 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 Farmyard and Cultivated Farmland

b. Proposed use of the land Farmyard Separation

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) Woodlots, cultivated farmland

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 None: 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

Water Source: Water Well

Septic: Discharge System and 2 Tanks

9 REGISTERED OWNER OR PERSON ACTING ON THE REGISTERED OWNER'S BEHALF

Borderline Surveys Ltd./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 T0H 1L0

Signature Jason Coates

Phone No. 780-835-4618/cell 780-330-9939

Date August 16, 2021

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:	September 7, 2021
FILE:	21MK034	EXPIRY DATE:	November 6, 2021
LEGAL:	NE 24.83.1.W6M	TIME EXTENSION:	
APPLICANT/AGENT:	Borderline Surveys Ltd		

PROPOSAL: The proposal is to subdivide a 12.3 acres from an unsubdivided quarter section to accommodate an existing farmstead separation.

ACREAGE IN TITLE: 159.38 acres

RESERVE REQUIREMENT: N/A

PROXIMITY TO URBAN MUNIC: Approximately 7 miles northwest of the Hamlet of Whitelaw

PREVIOUS APPLICATIONS: None

SITE CHARACTERISTICS

C.L.I.: 100% 3c

TOPOGRAPHY: The subject land is described as flat.

EXISTING USE/DEVELOPMENT: The existing developments include a house with an attached garage, granaries, wood and machine shelters, with the associated servicing. Majority of the balance of the quarter section is cultivated, with some treed areas in the northwestern, center and southeastern portions of the quarter section.

ROAD ACCESS: Access is gained via Highway 685 to the north of the proposed subdivision. The access to the balance of the quarter section may be required. AB Transportation will be asked to comment on highway requirements/concerns.

SERVICING: The existing development uses a well for water supply and an open septic discharge for sewage disposal system.

PARCEL SIZE: The proposed parcel size may be deemed appropriate for the intended proposed use and is based on setback requirements.

LEGISLATION

LAND USE BYLAW: Located in Agricultural District – 1 (AG-1). The parcel size for a farmstead separation is a minimum of 3 ac and a maximum of 10 ac. For parcels larger than permitted parcel sizes, the approval is at the discretion of the Development Authority, based on the need to accommodate related farm buildings, improvements, and existing services.

MUNICIPAL DEVELOPMENT PLAN: May be allowed.

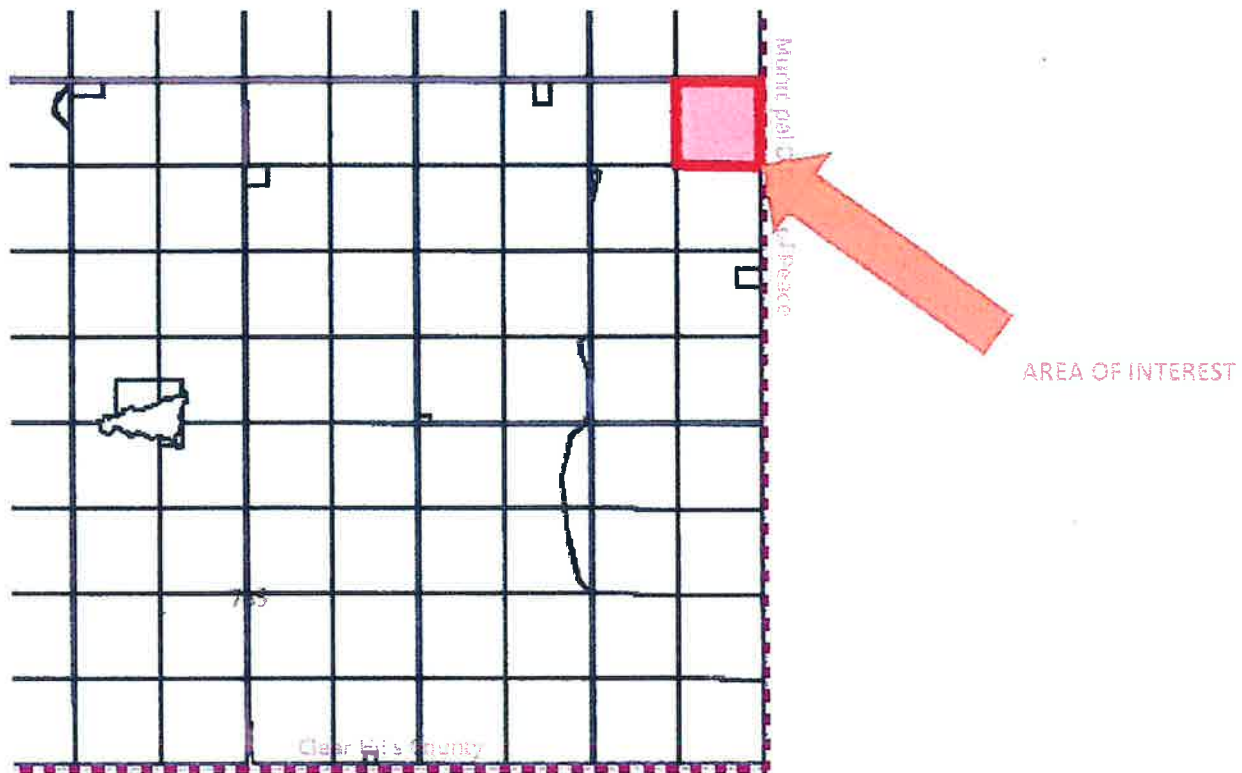
INTER MUNICIPAL DEV. PLAN: N/A

SUBDIVISION REGULATIONS: Sections 14 and 15 apply. Application will be referred to Alberta Transportation for comments as per section 5 (5)(d).

MUNICIPAL GOVERNMENT ACT: No conflicts.

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

"LOCATION" MAP



735

Whitelaw

File Number: 21MK034
Municipality: Clear Hills County
Legal Description: NE 24.83.1.W6M
Owner: Kent and Rachelle Koch
Use: Farmstead Separation



Within
Clear Hills County, Alberta

Containing 1 Lot
(Containing 4.86 ha (12.3 Ac))

Registered Title Encumbrances (Attracting Evident of Title)

- Disturbances are in Madras and Dorewala Theroad
- A field inspection was conducted on the property August 12, 2022
- House used a water well for water source

Are Affected by This Plan is Outlined Thus:

Roads Shown Thus: ———— X ————
Fence Shown Thus: ———— X ————
Gas Co-op Shown Thus: ———— X ————
Overhead Power Shown Thus: ———— X ————
Bushlines Shown Thus: ———— X ————

Power/Pole Shown Thus: ———— X ————
Water Well Shown Thus: ———— X ————
Septic Tank/Discharge Shown Thus: ———— X ————

John E. Daly
Lon Ann Daly
C of T 122 347 560

d10021 Hwy 1005

SURVEYS

11026-102nd Ave, T0H1L0, Box 286
Fairview, Alberta
Phone (780) 330-9938
E-mail: jwc.surveyor@gmail.com

PREPARED BY
Jason Coates, A.L.S.

Revision Table					Date
No.	Revision	Type	Drawn	Chkd	Surveyed
0	Original		RS	TB	JH
Client File No N/A					
File No: 210175			Job No: 210175		Sheet: 1 of 4
					<div style="border: 1px solid black; padding: 2px; display: inline-block;">0</div> Revision

PROPOSED SUBDIVISION OF
N.E. 1/4 Sec. 24, Twp. 83, Rge. 1, W. 6M.
(East of Eastwood Cemetery)

Clear Hills County, Alberta



Notes

- The house is served by septic discharge and tank system.

BORDERLINE

SURVEYS

1102B-102nd Ave. TDH11L0 Box 2661

Fairview Alberta

E-mail: jwc.surveyor@gmail.com

PREPARED BY
Jason Coates, A.L.S.

Jason Coates, A.L.S.



Revision Table						Date
No.	Revision	Type	Drawn	CHK'd	Surveyed	
0	Original		RS	TB	JM	Aug 26, 2021
Client File No N/A						
File No. 210175						
Job No. 210175						
Sheet						2 of 4
						<div>0</div>

0

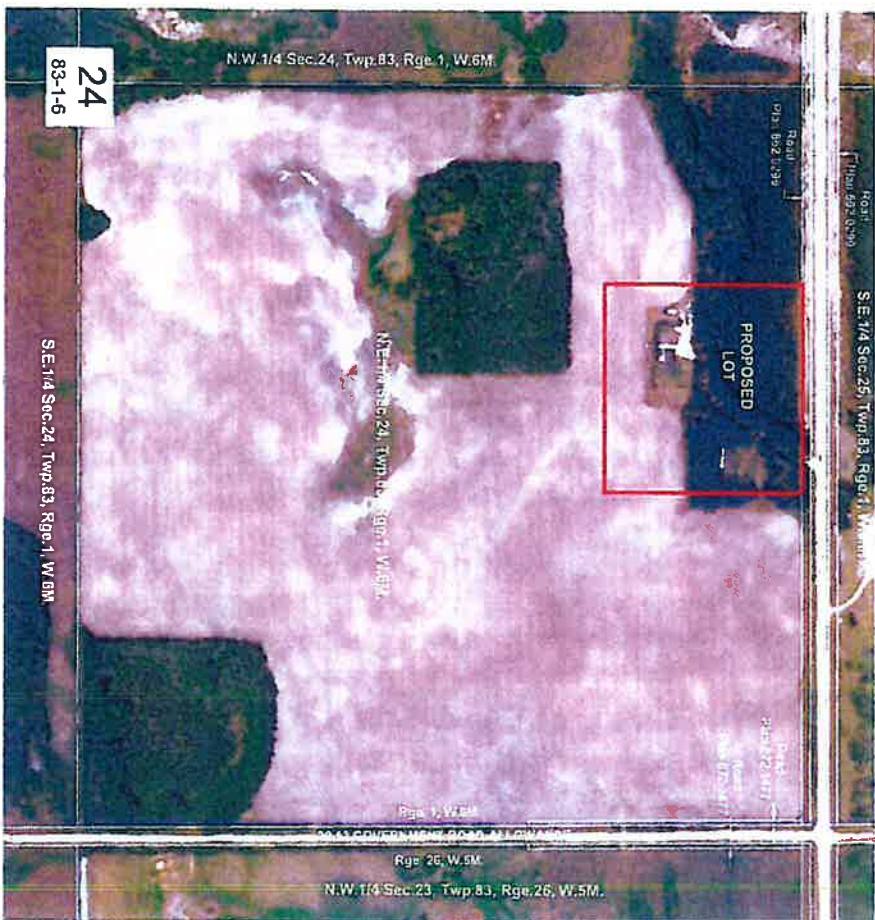
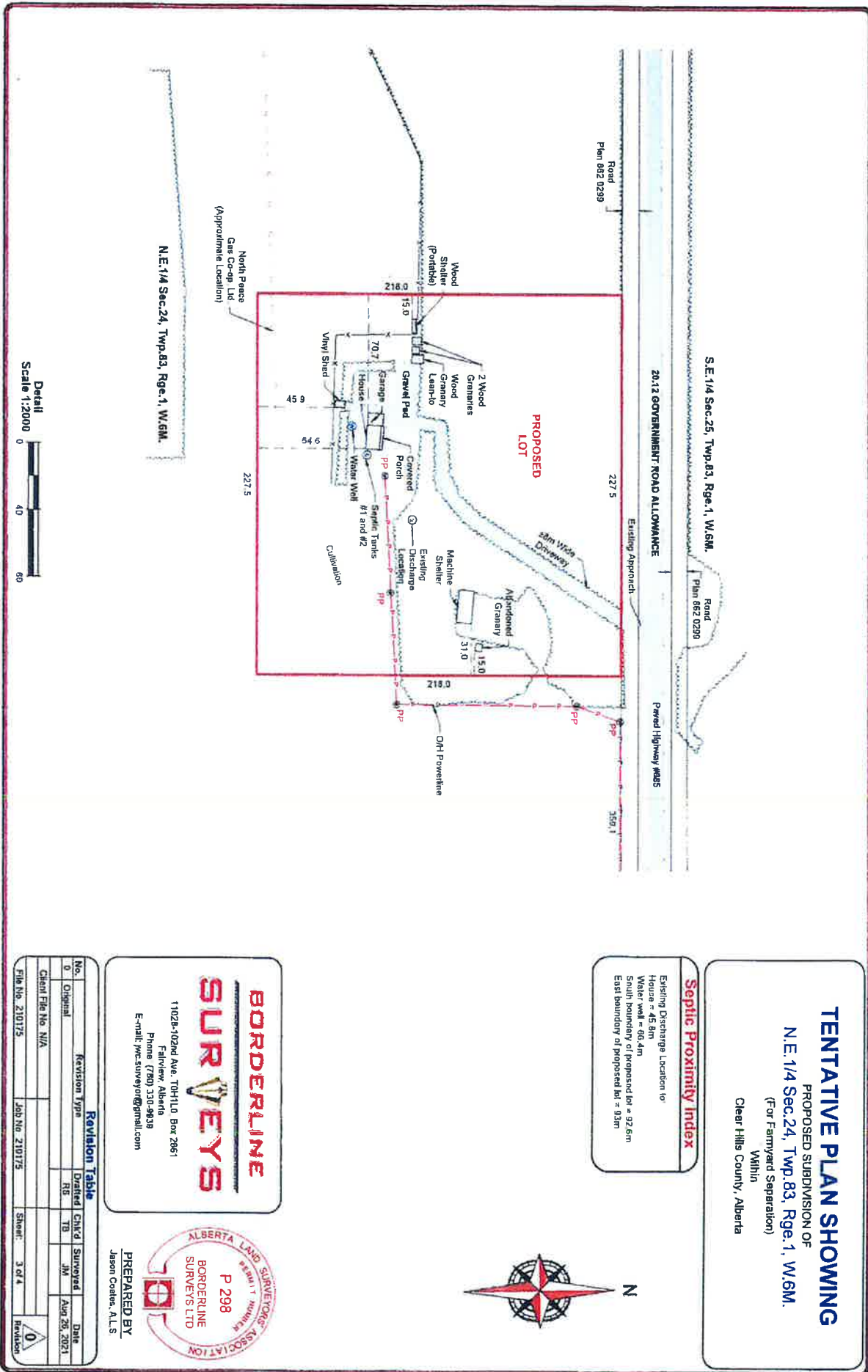


Photo
Apr. 2011 - Jun. 2016
Scale 1:5000

Scale 1:5000

Scale 1:5000



TENTATIVE PLAN SHOWING
 PROPOSED SUBDIVISION OF
 N.E. 1/4 Sec. 24, Twp. 83, Rge. 1, W. 6M.
 (For Farmyard Separation)
 Within
 Clear Hills County, Alberta

Septic Proximity Index
 Existing Discharge Location to:
 House = 45.8m
 Water well = 66.4m
 South boundary of proposed lot = 92.8m
 East boundary of proposed lot = 33m



BORDERLINE SURVEYS
 1102B-102nd Ave. T0H1L0 Box 2861
 Fairview, Alberta
 Phone (780) 330-9839
 E-mail: jpc@surveyor@gmail.com



PREPARED BY
 Jason Coates, A.L.S.

Revision Table				
No.	Revision	Type	Drafted	Date
0	Original		RTS	JM
Client File No. N/A				
File No. 210175				
Job No. 210175				
Sheet: 3 of 4				
Revision 0				
Date: Jun 26, 2021				



Photo Apr. 2011 - Jun. 2016

Detail
Scale 1:2000
0 40 80

TENTATIVE PLAN SHOWING PROPOSED SUBDIVISION OF N.E. 1/4 Sec. 24, Twp. 83, Rge. 1, W. 6M. (For Farmyard Separation) Within Clear Hills County, Alberta



**BORDERLINE
SURVEYS**

11028-102nd Ave. T0H1L0, Box 2661
 Fairview, Alberta
 Phone (780) 310-9939
 E-mail: pwc.surveys@gmail.com

PREPARED BY
 Jason Coates, A.L.S.



Revision Table				
No.	Revision	Type	Drafted/Chk'd	Surveyed
0	Original	RS	TB	JM
Client File No. N/A				
Job No. 210175				
Sheet 4 of 4				
Date Aug 26, 2021				
Revision 0				