

AGENDA
CLEAR HILLS COUNTY
MUNICIPAL PLANNING COMMISSION MEETING
December 13, 2022

The regular meeting of the Municipal Planning Commission for the Clear Hills County will be held on Tuesday, December 13, 2022, at 9:00 a.m. in the Council Chambers, 313 Alberta Avenue, Worsley Alberta.

A) CALL TO ORDER

B) AGENDA

A. REGULAR MEETING of December 13, 2022..... 1

C) ADOPTION OF THE PREVIOUS MINUTES

A. ORGANIZATIONAL MEETING of November 22, 2022..... 2

B. REGULAR MEETING of November 22, 2022..... 4

D) BUSINESS ARISING OUT OF THE MINUTES

E) DELEGATION

F) BY-LAW

G) OLD BUSINESS

H) NEW BUSINESS

A. SUBDIVISION PROPOSAL – P & N Van Herk..... 6

I) CORRESPONDENCE AND INFORMATION

J) CONFIDENTIAL ITEMS

K) ADJOURNMENT

Initials show support - Reviewed by: Development Officer:	Manager:
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**MINUTES OF CLEAR HILLS COUNTY
MUNICIPAL PLANNING COMMISSION
ORGANIZATIONAL MEETING
COUNTY COUNCIL CHAMBERS
TUESDAY, NOVEMBER 22, 2022**

PRESENT	Danae Walmsley David Janzen Abram Giesbrecht	Member Member Member
ABSENT	Nathan Stevenson Jason Ruecker	Member Member
ATTENDING	Allan Rowe Audrey Bjorklund Shelby Giesbrecht Bonnie Morgan	Chief Administrative Officer (CAO) Community Development Manager (CDM) Corporate Services Clerk (CSC) Executive Assistant (EA)
CALL TO ORDER	Chief Administrative Officer (CAO), Allan Rowe called the meeting to order at 9:00 a.m.	
<u>AGENDA</u> M45-22 (11/22/22)	RESOLUTION by Member Walmsley to adopt the agenda governing the November 22, 2022, Municipal Planning Commission Organizational Meeting, as presented. CARRIED.	
<u>NEW BUSINESS</u> Voting Procedure	Members of the Municipal Planning Commission vote by show of hands during the Organizational Meeting.	
Election of Chairperson	As per Bylaw 66-03, the Members of the Municipal Planning Commission shall elect a Chairperson from amongst themselves. CAO Allan Rowe called for nominations for Chairperson. Member Janzen nominated Member Walmsley. Member Walmsley accepted the nomination. CAO Allan Rowe called nominations for Chairperson for a second time. CAO Allan Rowe called nominations for Chairperson a third and final time.	
M46-22 (11/22/22)	RESOLUTION by Member Janzen to end the nomination period for the election of Chairperson. CARRIED.	

MUNICIPAL PLANNING COMMISSION
ORGANIZATIONAL MEETING
TUESDAY, NOVEMBER 22, 2022

Page 2 of 2

M47-22 (11/22/22)

RESOLUTION by Member Giesbrecht to appoint Member Walmsley the Municipal Planning Commission Chairperson by acclamation. CARRIED.

Chairperson Walmsley took the Chair.

Chairperson Walmsley called for nominations for Deputy Chair. Member Janzen nominated Member Giesbrecht for Deputy Chairperson.

Member Giesbrecht accepted the nomination.

Chairperson Walmsley called a second time for nominations for Deputy Chairperson.

Chairperson Walmsley called a third and final time for nominations for Deputy Chairperson.

M48-22 (11/22/22)

RESOLUTION by Member Janzen to end the nomination period for the election of Deputy Chairperson. CARRIED.

M49-22 (11/22/22)

RESOLUTION by Chairperson Walmsley to appoint Member Giesbrecht Municipal Planning Commission Deputy Chairperson by acclamation. CARRIED.

ADJOURNMENT

Chairperson Walmsley adjourned the Organizational Municipal Planning Commission Meeting on at 9:05 a.m.

DATE

CHAIRPERSON

DATE

CHIEF ADMINISTRATIVE OFFICER

**MINUTES OF CLEAR HILLS COUNTY
MUNICIPAL PLANNING COMMISSION
COUNTY COUNCIL CHAMBERS
TUESDAY, NOVEMBER 22, 2022**

PRESENT	<p>Danae Walmsley Chairperson Abram Giesbrecht Deputy Chairperson David Janzen Member Nathan Stevenson Member</p>
ABSENT	<p>Jason Ruecker Member</p>
ATTENDING	<p>Allan Rowe Chief Administrative Officer (CAO) Audrey Bjorklund Community Development Manager (CDM) Shelby Giesbrecht Corporate Services Clerk (CSC) Bonnie Morgan Executive Assistant (EA)</p>
CALL TO ORDER	Chairperson Walmsley called the meeting to order at 9:05 a.m.
<u>ACCEPTANCE OF AGENDA</u> M50-22 (11-22-22)	<p>RESOLUTION by Member Janzen to adopt the agenda governing the November 22, 2022, Municipal Planning Commission Meeting, as presented. CARRIED.</p>
<u>APPROVAL OF MINUTES</u> Previous Regular Meeting Minutes M51-22 (11-22-22)	<p>RESOLUTION by Deputy Chair Giesbrecht to adopt the minutes of the November 1, 2022, Municipal Planning Commission Meeting, as presented. CARRIED.</p>
<u>NEW BUSINESS</u> Subdivision Proposal Isaac Peters	<p>Mr. Peters is seeking support in principle for subdividing NW-18-84-5-W6M prior to incurring survey and application costs. Mr. Peters' proposal is to subdivide approximately 17.5 to 19 acres (depending on area of discharge for septic) of his quarter section to accommodate the farmyard's spacious layout, including the existing septic system.</p> <p>Member Stevenson entered the meeting at 9:15 a.m.</p>
M52-22 (11-22-22)	<p>RESOLUTION by Chairperson Walmsley that the Municipal Planning Commission supports in principle the landowner's proposal to subdivide 17.5 to 19 acres out of NW-18-84-5-W6M to include all existing services for the farmstead. CARRIED.</p>

ADJOURNMENT

Chairperson Walmsley adjourned the November 22, 2022, Municipal Planning Commission Meeting at 9:18 a.m.

DATE _____

CHAIRPERSON

DATE _____

CHIEF ADMINISTRATIVE OFFICER

Clear Hills County

Request For Decision (RFD)

Meeting:	Municipal Planning Commission Meeting
Meeting Date:	December 13, 2022
Originated By:	Audrey Bjorklund
Title:	SUBDIVISION PROPOSAL – P & N Van Herk.
File:	61-02-02

DESCRIPTION:

Pieter and Nancy are seeking support to separate 43.8 acres from SE 21 85 5 W6M, a previously unsubdivided quarter section, for agricultural use. The subdivision constitutes a physical severance of the parcel created by the Montagneuse River.

BACKGROUND:

- Zoning: Agricultural District 1 (AG1)
- Road Access:
 - Existing approaches to the proposed lot and the balance off Highway 730
- Topography: flat

ATTACHMENTS:

- Aerial of quarter

OPTIONS:

- A. Not recommend MMSA approve the subdivision.
- B. Recommend MMSA approve the application to subdivide the quarter to follow the natural severance created by the Montagneuse River.

RECOMMENDED ACTION:

RESOLUTION BY Recommend Mackenzie Municipal Services Agency approve the application from Pieter and Nancy Van Herk to separate 43.8 acres from SE 21 85 5 W6M, a previously unsubdivided quarter section, for agricultural use. The subdivision constitutes a physical severance of the parcel created by the Montagneuse River.

Initials show support - Reviewed by: Development Officer:	Manager:
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MACKENZIE MUNICIPAL SERVICES AGENCY

5109 – 51 Street P.O. Box 450

Berwyn, Alberta T0H 0E0

Phone: 780-338-3862

www.mmsa.ca

DATE: November 25th, 2022

FILE NO.: 22MK036

MUNICIPALITY: Clear Hills County

LEGAL: SE 21.85.5 W6M

OWNER: Pieter & Nancy Van Herk

PROPOSED LAND USE: Country Residential

DEVELOPER/AGENT/SURVEYOR: Borderline Surveys Ltd.

MAY WE HAVE YOUR COMMENTS ASAP IN AS FAR AS YOUR AGENCY IS CONCERNED.
PLEASE ATTACH ANY ADDITIONAL COMMENTS.

SIGNATURE: _____

Comments received may be deemed public information.

Area Planner: Jan Sotocinal

Telus: Grande Prairie

ATCO Electric: Attn. Rita Klasson, Land Administration, Edmonton

ATCO Pipeline: HP.Circulations.com

Gas Co-op: North Peace Gas Coop

Alberta Transportation: Peace Region

Municipality: Clear Hills County

**MACKENZIE MUNICIPAL SERVICES AGENCY
SUBDIVISION COMMENTS**

MUNICIPALITY:	<u>Clear Hills County</u>	DATE RECEIVED:	<u>November 25, 2022</u>
FILE:	<u>22MK036</u>	EXPIRY DATE:	<u>January 24, 2022</u>
LEGAL:	<u>SE 21.85.5 W6M</u>	TIME EXTENSION:	<u></u>
APPLICANT/AGENT:	<u>Borderline Surveys Ltd.</u>		

Agricultural

PROPOSAL: The proposal is to separate 43.8 acres from a previously unsubdivided quarter section for ~~country residential~~ use. The subdivision constitutes a physical severance of the parcel created by Montagneuse River.

ACREAGE IN TITLE: 157.65 acres

RESERVE REQUIREMENT: Environmental Reserve may or may not be required, in accordance with the relevant policies of the Municipal Development Plan and subject to the *Municipal Government Act*.

PROXIMITY TO URBAN MUNIC: Approximately 9.3 miles northwest of Hines Creek

PREVIOUS APPLICATIONS: None

SITE CHARACTERISTICS

C.L.I.: 100% 3c

TOPOGRAPHY: The subject land is described as flat.

EXISTING USE/DEVELOPMENT: There are currently no developments on the proposed parcel. Part of the lot is treed and the remainder contains pasture. The Montagneuse River meanders through the quarter section from the northeast to the middle and southern portions of the land, acting as a natural severance.

ROAD ACCESS: Both the proposed lot and the balance each has an existing approach via Highway 730 to the east.

SERVICING: The subdivision is proposed to be serviced by cistern and hauling for water supply, and an open discharge septic system for sewage disposal, which must meet current regulations at the time of development.

PARCEL SIZE: The proposed parcel size of 43.8 acres is based on a physical severance of the quarter section due to the presence of Montagneuse River, and may be deemed appropriate for the intended use.

LEGISLATION

LAND USE BYLAW: Located within the Agricultural District (AG-1). The maximum parcel size for country residential uses is 10 acres. However, a larger parcel size may be allowed at the discretion of the Development Authority, based on the need to accommodate related farm buildings, improvements, existing and proposed services and site characteristics (See section 10.4(3)). The proposed parcel size may be allowed based on the severed nature of the lot.

MUNICIPAL DEVELOPMENT PLAN: May be allowed.

INTER MUNICIPAL DEV. PLAN: N/A

MATTERS RELATED TO SUBDIVISION AND DEVELOPMENT REGULATION: Sections 7(6)(d) and (e) apply. Application will be referred to Alberta Transportation, and Alberta Environment and Parks, for comments.

MUNICIPAL GOVERNMENT ACT: No conflicts.

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

FORM 1
APPLICATION FOR SUBDIVISION

FOR OFFICE USE ONLY

Date of Receipt for Completed Form: _____

File No.: _____

Fee Submitted: _____

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 Van Herk and Nancy Van Herk Address and phone number: Box 120, Hines 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/Jason Coates Address and phone number: PO Box 43, Clairmont, AB T8X 0T8 (780)538-1955
(Full Name in Block Capitals)
3. LEGAL DESCRIPTION AND AREA OF LAND TO BE SUBDIVIDED:
All/part of the SE $\frac{1}{4}$ Sec 21 TWP 85 Range 5 West of 6 Meridian
Being all/parts of Lot _____ Block _____ Registered Plan No. _____ C.O.T. No. 122 062 741
Area of the above parcel of land to be subdivided 17.7 hectares 43.8 (acres).
Municipal Address if applicable N/A
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 Highway 730 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 X No _____ If "yes", state its name: Montagneuse River
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 agriculture
b. Proposed use of the land ~~agriculture~~ Residential/acreage Agriculture
c. The designated use of the land as classified under a land use bylaw agriculture
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) Treed and Pasture
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
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.
No house exists on this proposed parcel
9. REGISTERED OWNER OR PERSON ACTING ON THE REGISTERED OWNER'S BEHALF
Borderline Surveys Ltd/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: PO Box 43, Clairmont, AB T8X 0T8

Signature: Jason Coates

Phone No.: (780) 538-1955 / Cell (780) 330-9939

Date: Nov 3-2022

Ni ←



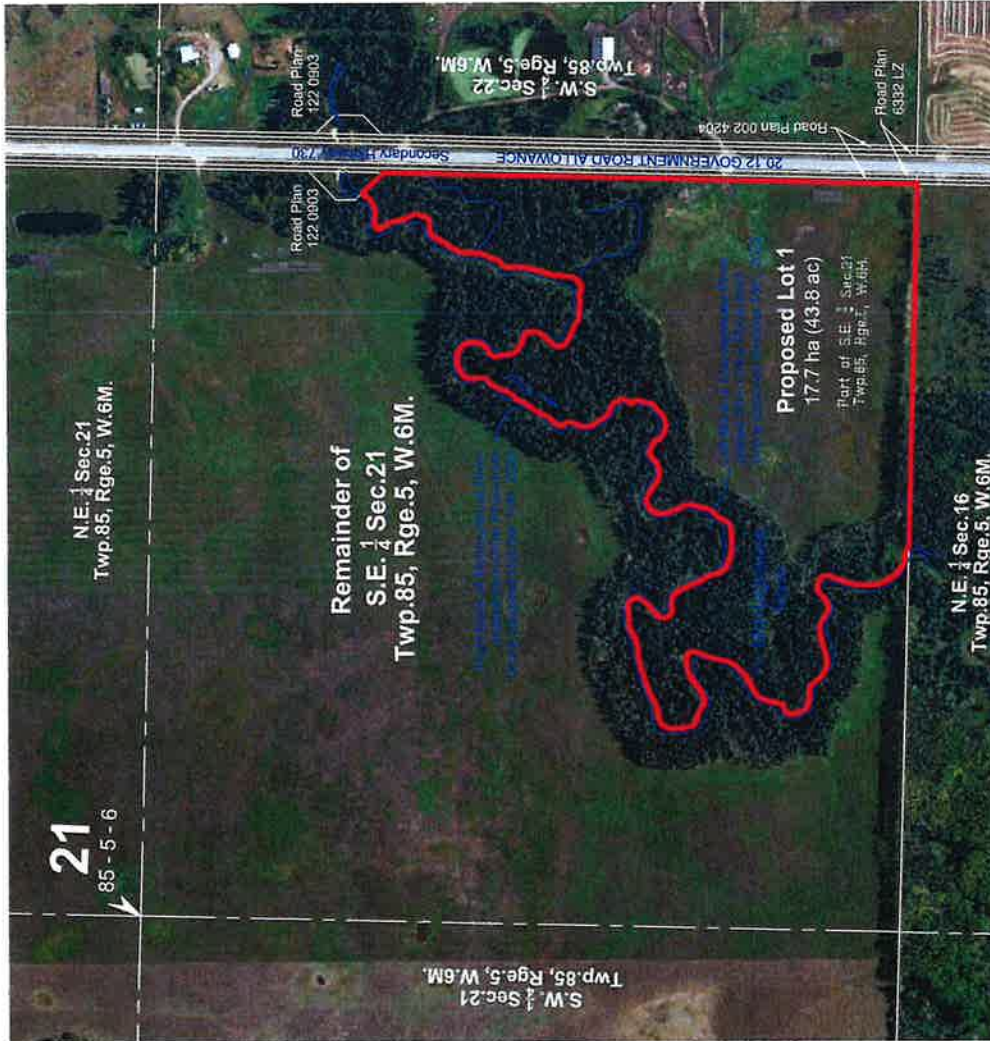
TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF

Part of S.E. $\frac{1}{4}$ Sec.21, Twp.85, Rge.5, W.6M.
(For Physical Severance)

Within

Clear Hills County, Alberta



SCALE 1:5000

Notes

- There are no existing buildings within the Proposed Lot.

**BORDERLINE
SURVEYS**

#103-2, 8301 99 Street
Clairmont, Alberta T8X 5B1
Phone: (780) 538-1955
E-mail: jwc.surveyor@gmail.com

P 298
BORDERLINE
SURVEYS LTD.

PREPARED BY
Jason Coates, A.L.S.

Revision Table			
No.	Revision Type	Drafted	Surveyed
0	Original	LB	JC
Client File No: N/A			
File No: 270164T			
Job No: 270164			
Sheet: 2 of 3			
Date: Oct.28, 2022			

TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF

Part of S.E. $\frac{1}{4}$ Sec.21, Twp.85, Rge.5, W.6M.
(For Physical Severance)

Within

Clear Hills County, Alberta

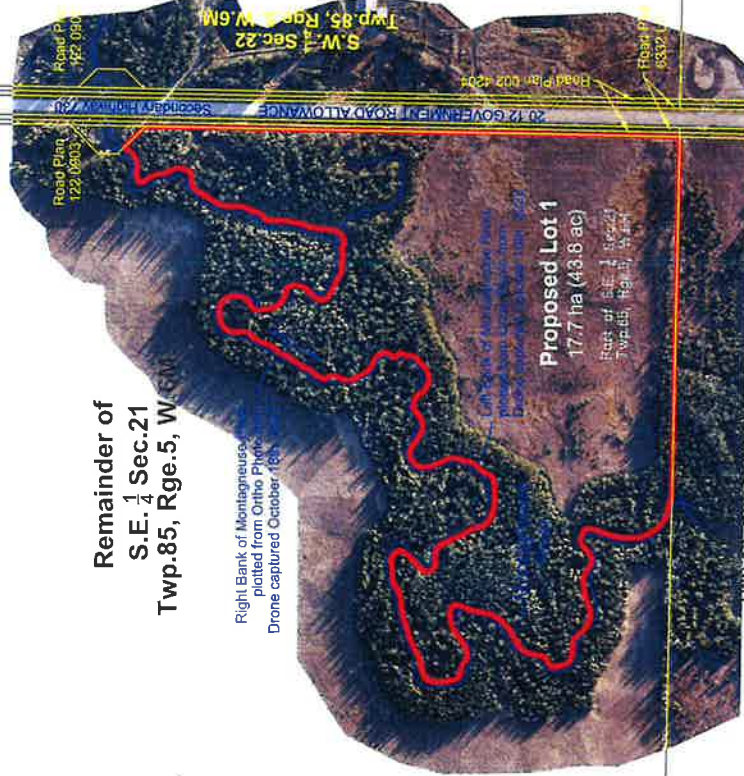
21
85 - 5 - 6

N.E. $\frac{1}{4}$ Sec.21
Twp.85, Rge.5, W.6M.

Remainder of
S.E. $\frac{1}{4}$ Sec.21
Twp.85, Rge.5, W.6M.

S.W. $\frac{1}{4}$ Sec.21
Twp.85, Rge.5, W.6M.

Right Bank of Montagneuse
plotted from Ortho Photo
Drone captured October 18th



Ortho Image By Drone



SCALE 1:5000



**BORDERLINE
SURVEYS**

#103-2, 8301 99 Street
Clairmont, Alberta T8X 5B1
Phone: (780) 538-1955
E-mail: jwc.surveyor@gmail.com



PREPARED BY
Jason Coates, A.L.S.

Revision Table			
No.	Original	Revision Type	Date
0	Original	LB	Oct 26, 2022
1	Original	JC	Oct 26, 2022
2	Original	JC	Oct 26, 2022
3	Original	JC	Oct 26, 2022
4	Original	JC	Oct 26, 2022
5	Original	JC	Oct 26, 2022
6	Original	JC	Oct 26, 2022
7	Original	JC	Oct 26, 2022
8	Original	JC	Oct 26, 2022
9	Original	JC	Oct 26, 2022
10	Original	JC	Oct 26, 2022
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100	Original	JC	Oct 26, 2022

TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF
Part of S.E. $\frac{1}{4}$ Sec.21, Twp.85, Rge.5, W.6M.
(For Physical Severance)

Within
Clear Hills County, Alberta

Schedule of Area(s)

Contains 1 Lot
Containing 17.7 ha (43.8 ac)

Registered Title Encumbrances (Affecting Extent of Title)

932 216 800 Utility Right of Way - North Peace Gas Co-op Ltd
952 073 540 Roadway Covenant - The Municipal District of Clear Hills No 21

Notes

- Distances are in Metres and Decimals Thereof
- Plan measurements based from a field inspection conducted on October 18, 2022.

Legend

Area Affected by This Plan is Outlined Thus — Power Pole Shown Thus ○
Roads Shown Thus —
Fence Shown Thus —
Gas Co-op Shown Thus — P —
Overhead Power Shown Thus —

Land Owner(s)

Peder Van Niek
Nancy Susanne Van Niek
C of T 122 062 741

Site Information

Address: Not Available

**BORDERLINE
SURVEYS**

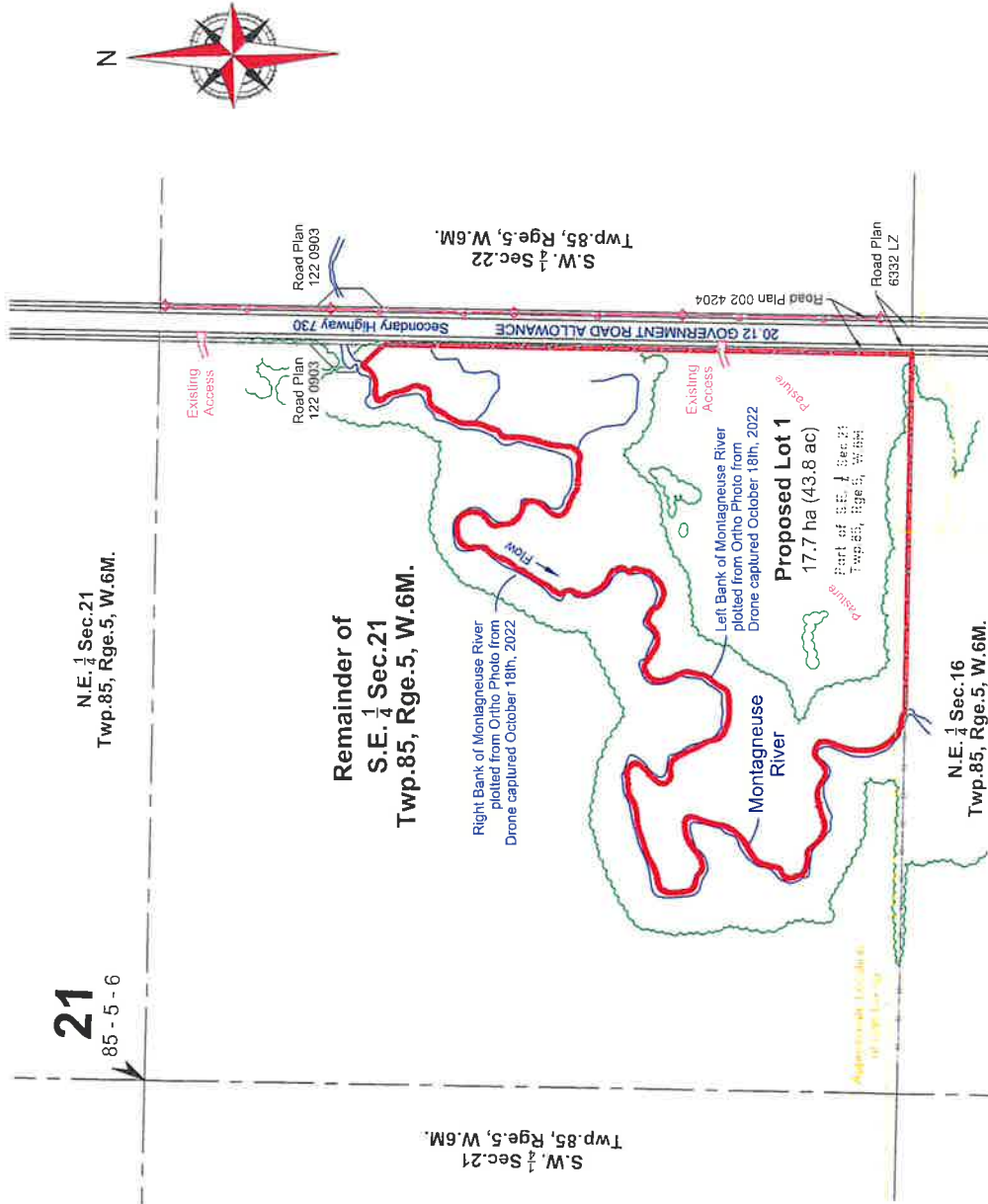
#103-2, 8301 99 Street
Clairmont, Alberta T8X 5B1
Phone: (780) 538-1955
E-mail: jwc.surveyor@gmail.com



PREPARED BY
Jason Coates, A.L.S.

Revision Table

No.	Original	Revision Type	Drafted	Chk'd	Surveyed	Date
0			LB	JC	JC	Oct.28, 2022
Client File No: N/A						
File No: 220164T						
Job No: 220164						
Sheet: 1 of 3						
Revision: 0						



SCALE 1:5000