

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

**September 12, 2023**

---

The regular meeting of the Municipal Planning Commission for the Clear Hills County will be held on Tuesday, September 12, 2023, at 9:00 a.m. in the Council Chambers, 313 Alberta Avenue, Worsley Alberta.

---

- A) CALL TO ORDER**
- B) AGENDA**
  - A. REGULAR MEETING of September 12, 2023* ..... 1
- C) ADOPTION OF THE PREVIOUS MINUTES**
  - A. REGULAR MEETING of August 15, 2023* ..... 2
- D) BUSINESS ARISING OUT OF THE MINUTES**
- E) DELEGATION**
- F) BY-LAW**
- G) OLD BUSINESS**
- H) NEW BUSINESS**
  - A. DEVELOPMENT PERMIT- D & J Zacharias* ..... 4
- I) CORRESPONDENCE AND INFORMATION**
- J) CONFIDENTIAL ITEMS**
- K) ADJOURNMENT**

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

**MINUTES OF CLEAR HILLS COUNTY  
MUNICIPAL PLANNING COMMISSION  
COUNTY COUNCIL CHAMBERS  
TUESDAY, AUGUST 15, 2023**

**PRESENT**

David Janzen	Member
Danae Walmsley	Chairperson
Abram Giesbrecht	Deputy Chairperson
Jason Ruecker	Member

**ABSENT**

Nathan Stevenson	Member
------------------	--------

**ATTENDING**

Allan Rowe	Chief Administrative Officer (CAO)
Natasha Gillett	Community Services Clerk
Shelby Janzen	Corporate Services Clerk (CSC)

**CALL TO ORDER**

Chair Walmsley called the meeting to order at 9:00 a.m.

ACCEPTANCE OF  
AGENDA

**M36-23 (08-15-23)**

**RESOLUTION by Member Janzen to adopt the agenda governing the August 15, 2023, Municipal Planning Commission Meeting, as presented. CARRIED.**

Deputy Chair Giesbrecht entered the meeting at 9:01 a.m.

APPROVAL OF  
MINUTES

Previous Regular Meeting Minutes

**M37-23 (08-15-23)**

**RESOLUTION by Member Ruecker to adopt the minutes of the July 11, 2023, Municipal Planning Commission Meeting, as presented. CARRIED.**

NEW BUSINESS

Development Permit Application  
A Lovmo

Development Permit Application W25-23 was received from Ada Lovmo to move a second dwelling unit onto acreage (Plan 2122559 Block 1 Lot 1) for family and/or Home Support Clients.

**M38-23 (08-15-23)**

**RESOLUTION by Member Ruecker that the Municipal Planning Commission approves Development Permit Application W25-23, received from Ada Lovmo to move a second dwelling unit onto Plan 2122559 Block 1 Lot 1, 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, 40.8m (134 feet)**
  - b. **Side yard, 15.2m (50 feet)**
  - c. **Rear yard, 15.2m (50 feet)**
3. **Minimum spacing from existing dwellings shall be not less than 4.5 meters (15 feet). Any additions or attachments shall be regarded as part of the residence for spacing purposes.**
4. **Water Supply Setbacks:**
  - a. **Dugout**
    - i. **Minimum distance from dwelling 45m (150 feet) or dugout fenced for safety.**
    - ii. **Minimum distance from road right-of-way (front yard) 40.8m (134 feet).**
    - iii. **Minimum distance from other property lines (side and rear yards) 15.24m (50 feet).**
  - b. **Cistern**
    - i. **Minimum distance from road right-of-way (front yard) 40.8m (134 feet).**
    - ii. **Minimum distance from other property lines (side and rear yards) 15.24m (50 feet).**
5. **Sewage Setbacks, Septic Tank and Discharge:**
  - a. **Minimum distance from dwelling 1.0 m (3.25 ft)**
  - b. **Minimum distance between dugout and septic tank 9.14 m (30 ft).**
  - c. **Minimum distance from discharge to any dwelling is 45.72 m (150 ft).**
  - d. **Minimum distance from discharge to dugout is 45.72 m (150 ft).**
6. **Sewage disposal system must comply with the Alberta Private Sewage Treatment and Disposal Regulations.**
7. **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.**
8. **All required Municipal Land Use Bylaw and Provincial/Federal Regulations to be adhered to.**

**CARRIED.**

ADJOURNMENT

Chair Walmsley adjourned the August 15, 2023, Municipal Planning Commission Meeting at 9:11 a.m.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE

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

# Clear Hills County

## Request For Decision (RFD)

Meeting:	Municipal Planning Commission Meeting
Meeting Date:	September 12, 2023
Originated By:	Shelby Janzen
Title:	<b>DEVELOPMENT PERMIT APPLICATION – DANIEL &amp; JOSEPH ZACHARIAS</b>
File:	61-02-02

### DESCRIPTION:

Development Permit Application W31-23 was received from Joseph and Daniel Zacharias to construct a third dwelling and yard site on SE-10-85-9-W6.

### BACKGROUND:

- Zoning: AG1
- The dwelling will be serviced with an existing dugout for water usage and a septic tank and open discharge for the sewage disposal.
- The dwelling will be occupied by family.
- Section 8.7 of the Land Use Bylaw states:
  - “When determining an exemption to the number of dwellings on a parcel, the Development Authority shall consider the following:
    - The suitability of the site for the proposed development;
    - Access to and from the site;
    - On-site water and sewer servicing;
    - Existing and future surrounding land uses;
    - Whether the additional dwelling is related to or necessary for the operation of an existing farm located on the parcel; and
    - Human relationships including a family member or relative occupying the dwelling.”

### ATTACHMENTS:

1. Development Permit Application
2. Ariel of Parcel
3. Location of the proposed development site with respect to the county

### OPTIONS:

- A. Deny the application for the following reasons....
- B. Approve the application with the conditions recommended.
- C. Approve the application with different conditions.

### RECOMMENDED ACTION:

That the Municipal Planning Commission approves Development Permit Application W31-23, received from Joseph and Daniel Zacharias to construct a third dwelling and yard site on SE-10-85-9-W6, subject to the following conditions:

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

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, 40.8m (134 feet)
  - b. Side yard, 15.2m (50 feet)
  - c. Rear yard, 15.2m (50 feet)
3. Minimum spacing from existing dwellings shall be not less than 4.5 meters (15 feet). Any additions or attachments shall be regarded as part of the residence for spacing purposes.
4. Water Supply Setbacks:
  - a. Dugout
    - i. Minimum distance from dwelling 45m (150 feet) or dugout fenced for safety.
    - ii. Minimum distance from road right-of-way (front yard) 40.8m (134 feet).
    - iii. Minimum distance from other property lines (side and rear yards) 15.24m (50 feet).
5. Sewage Setbacks, Septic Tank and Discharge:
  - a. Minimum distance from dwelling 1.0 m (3.25 ft)
  - b. Minimum distance between dugout and septic tank 9.14 m (30 ft).
  - c. Minimum distance from discharge to any dwelling is 45.72 m (150 ft).
  - d. Minimum distance from discharge to dugout is 45.72 m (150 ft).
6. Sewage disposal system must comply with the Alberta Private Sewage Treatment and Disposal Regulations.
7. 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.
8. All required Municipal Land Use Bylaw and Provincial/Federal Regulations to be adhered to.

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

**Manager:**



**CLEAR HILLS COUNTY**  
 Box 240  
 Worsley AB T0H 3W0  
 Telephone: 780-685-3925  
 Fax: 780-685-3960  
 Email: [info@clearhillscounty.ab.ca](mailto:info@clearhillscounty.ab.ca)

**APPLICATION FOR  
 DEVELOPMENT PERMIT**

**RECEIVED**  
**AUG 21 2023**  
**Clear Hills County**

FOR ADMINISTRATIVE USE ONLY

APPLICATION NO.:	W31-23
DATE RECEIVED:	
FEE PAID:	YES NO N/A

I/We hereby make application under the provisions of the Land Use Bylaw for a Development Permit in accordance with the plans and supporting information submitted herewith and forming part of this application.

I/We understand that this application will not be accepted without the following:

- (a) application fee;
- (b) site plan sketch that includes all relevant details for the proposed development (e.g.: proposed and existing structure, property lines, creeks/ravines, parking and vehicle access, building plans, etc.).

APPLICANT INFORMATION				COMPLETE IF DIFFERENT FROM APPLICANT			
NAME OF APPLICANT Daniel Zacharias Joseph Zacharias				NAME OF REGISTERED LAND OWNER			
ADDRESS Box 128 Cleardale, AB				ADDRESS			
POSTAL CODE T0H 3Y0	EMAIL daniel@zacharias@gmail.com		POSTAL CODE	EMAIL			
CONTACT NUMBERS Home 780 885-3885				CONTACT NUMBERS Home			
Business				Business			
Cell 780 835 0984				Cell			
LAND INFORMATION							
Legal description of proposed development site							
QTR./L.S. SE	SEC. 10	TWP. 85	RG. 9	M. W6	OR	REGISTERED PLAN NO.	BLOCK LOT
Size of the proposed development site:							
LENGTH		m	WIDTH		m	NUMBER OF HECTARES	OR ACRES
		ft			ft		
Lot type: INTERIOR CORNER THROUGH					LAND USE DISTRICT:		
Describe the existing use of the land: Residential, Pasture							

# APPLICATION FOR DEVELOPMENT PERMIT

**FORM A**

Page 2

<b>DEVELOPMENT INFORMATION</b>			
Describe the proposed use of the land: <i>A- third Dwelling Yard Site</i>			
Check (✓) any proposed use(s) not identified above:			
Dwelling unit(s)	Accessory structure(s) / use(s)	<input checked="" type="checkbox"/> Home Occupation(s)	
Sign(s)	Commercial or industrial structure(s) / use(s)		
Other (specify)			
Indicate the proposed setback from the property line:			
FRONT YARD <i>200</i> <input checked="" type="radio"/> ft	REAR YARD <i>300</i> <input checked="" type="radio"/> ft	SIDE YARD (1) <i>450</i> <input checked="" type="radio"/> ft	SIDE YARD (2) <i>550</i> <input checked="" type="radio"/> ft
Off street parking:		Size of space	Number of spaces
Off street loading:		Size of space	Number of spaces
Accessory use:			
PERCENTAGE OF LOT OCCUPIED:	HEIGHT OF ACCESSORY BLDG:	SETBACK FROM SIDE LOT LINE:	SETBACK FROM REAR LOT LINE:
The land is adjacent to:			
PRIMARY HIGHWAY		<input checked="" type="checkbox"/> SECONDARY HIGHWAY	<input checked="" type="checkbox"/> RURAL ROAD
Estimate the Project:			
COMMENCEMENT DATE <i>Oct 2023</i>	COMPLETION DATE		CONSTRUCTION COSTS
Attached is			
(a) SITE PLAN	<input checked="" type="radio"/> Yes	No	N/A
(b) FLOOR PLAN	Yes	<input checked="" type="radio"/> No	N/A
<b>DECLARATION</b>			
I/WE hereby declare that the above information is, to the best of my/our knowledge, factual and correct.			
DATE: <i>Aug 21 2023</i>	SIGNATURE OF APPLICANT: <i>[Signature]</i>		
DATE: <i>Aug 21 2023</i>	SIGNATURE OF REGISTERED LAND OWNER: <i>[Signature]</i>		

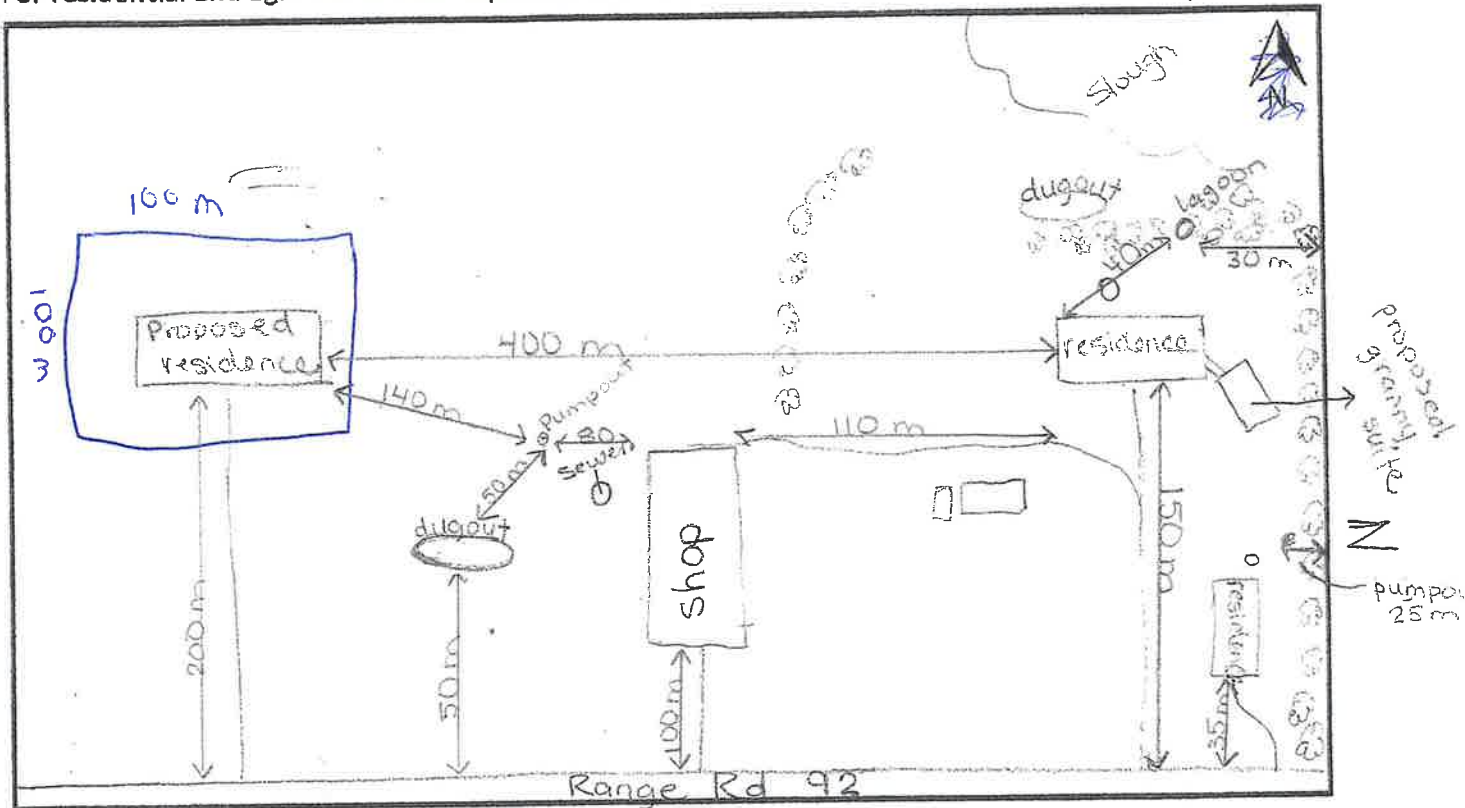
# APPLICATION FOR DEVELOPMENT PERMIT

## SITE MAP

LEGAL LAND DESCRIPTION: SF 10 85 9 W/6

For industrial or commercial development, attach engineered drawings of proposed development.

For residential and agricultural development, draw a sketch plan of proposed development. *W*



Please indicate the following if they apply to your proposed development:

- Location of water source & distance from property line and sewer system
- Location of sewer system & distance from water source and property line
- Access location(s)
- Location of existing or proposed buildings:
- Setbacks from the road allowance
- Location of roads in the area
- Location Shelterbelts
- Location of Treed Areas/ Sloughs/ Bush/ other vegetation
- Location of River/ Lakes/ other watercourses



# APPLICATION FOR DEVELOPMENT PERMIT

## ADDITIONAL INFORMATION REQUIRED

### ABANDONED WELLS

If the building/addition is greater than 47m<sup>2</sup> (505.9 ft<sup>2</sup>) a map from the Alberta Energy Regulator (AER) identifying the locations of, or confirming the absence of, any abandoned oil or gas wells on or within 25m (82 ft) of the site boundary is to be included. Go to [www.geodiscover.alberta.ca](http://www.geodiscover.alberta.ca) for abandoned well location and status information.

### WATER AND SEWAGE

Indicate below the type of water supply and sewage disposal to be used by your development proposal and if it is existing or proposed.

Existing	Proposed	TYPE OF WATER SUPPLY
✓		DUGOUT
		WELL
		CISTERN & HAULING
		COUNTY SERVICE
		OTHER (Please specify)

Existing	Proposed	TYPE OF SEWAGE DISPOSAL
✓		OPEN DISCHARGE/SEPTIC TANK
		SUB-SURFACE DISPOSAL/SEPTIC TANK
		ABOVE GROUND/SEPTIC TANK
		SEWAGE LAGOON
		OUTDOOR PRIVY
		COUNTY SERVICE
		OTHER (Please Specify)

FOR ADDITIONAL INFORMATION CONTACT ALBERTA MUNICIPAL AFFAIRS – CODES AND PERMITS AT 1-866-421-6929 (EMAIL [safety.services@gov.ab.ca](mailto:safety.services@gov.ab.ca)) OR A LICENSED PERMITTING AGENCY.

**APPLICATION FOR  
DEVELOPMENT PERMIT**

**RIGHT OF ENTRY FORM**

As a site inspection of land that is the subject of a development permit application may be required, we request that you complete the following authorization and submit it with your application for Development Permit approval.

Section 653(2) of the Municipal Government Act indicates that if consent is given by this form, a notice of inspection is not required to be given under Section 542(1).

I, DANIEL ZACHARIAS, do grant consent for an authorized  
(Name in block letters)

person of Clear Hills County to enter upon subject land for the purpose of a site inspection.

Legal Land Description: SE 10 85 9 W6

Aug 21 2023  
DATE:

  
SIGNATURE OF APPLICANT:

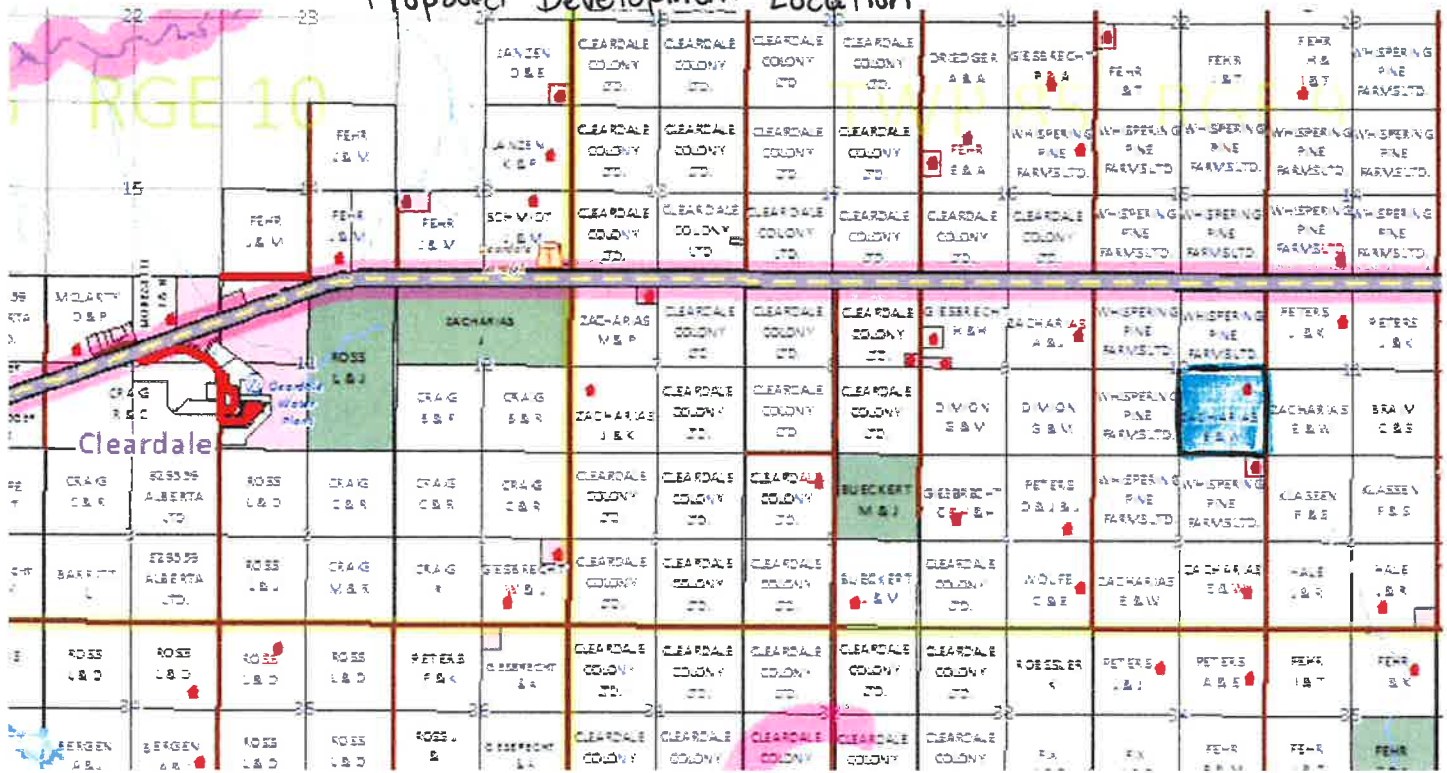
N



SE-10-85-9-W6



# Proposed Development Location



# Proposed Development Location

