

AGENDA
CLEAR HILLS COUNTY
MUNICIPAL PLANNING COMMISSION MEETING
November 14, 2023

The regular meeting of the Municipal Planning Commission for the Clear Hills County will be held on Tuesday, November 14, 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 November 14, 2023 1*
- C) ADOPTION OF THE PREVIOUS MINUTES**
 - A. REGULAR MEETING of September 26, 2023 2*
- D) BUSINESS ARISING OUT OF THE MINUTES**
- E) DELEGATION**
- F) BY-LAW**
- G) OLD BUSINESS**
- H) NEW BUSINESS**
 - A. DEVELOPMENT PERMIT APPLICATION H & A BANMAN 4*
 - B. SUBDIVISION REFERRAL D MURPHY 11*
- 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, SEPTEMBER 26, 2023**

PRESENT	David Janzen Danae Walmsley Jason Ruecker Abram Giesbrecht	Member Chairperson Member Deputy Chairperson
ABSENT	Nathan Stevenson	Member
ATTENDING	Allan Rowe Bonnie Morgan	Chief Administrative Officer (CAO) Executive Assistant (EA)
CALL TO ORDER	Chair Walmsley called the meeting to order at 9:00 a.m.	
<u>ACCEPTANCE OF AGENDA</u> M42-23 (09-26-23)	RESOLUTION by Member Janzen to adopt the agenda governing the September 26, 2023, Municipal Planning Commission Meeting, as presented. CARRIED.	
<u>APPROVAL OF MINUTES</u> Previous Regular Meeting Minutes M43-23 (09-26-23)	RESOLUTION by Chair Walmsley to adopt the minutes of the September 12, 2023, Municipal Planning Commission Meeting, as presented. CARRIED.	
<u>NEW BUSINESS</u> Subdivision Referral T & C Morin	Subdivision referral 23MK022 was received from Mackenzie Municipal Services Agency regarding the application for subdividing 10 acres (4.05 ha) from an unsubdivided quarter section (SW-13-84-6-W6M) for a country residential use.	
M44-23 (09-26-23)	RESOLUTION by Member Ruecker that the Municipal Planning Commission recommend Mackenzie Municipal Services Agency approve the country residential separation from Terence and Cynthia Morin on SW-13-84-6-W6M (10 acres), subject to the following conditions: <ol style="list-style-type: none"> 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.	

NEW BUSINESS

Subdivision Referral
J & A Bergen

Subdivision referral 23MK026 was received from Mackenzie Municipal Services Agency regarding the application for a 12.87-acre (5.21 ha) farmstead separation, first parcel out subdivision from Jacob and Aganetha Bergen for SE-34-84-10-W6M.

M45-23 (09-26-23)

RESOLUTION by Member Janzen that the Municipal Planning Commission recommend Mackenzie Municipal Services Agency approve the farmstead separation, first parcel out subdivision from Jacob and Aganetha Bergen for SE-34-84-10-W6M (12.87 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

Chair Walmsley adjourned the September 26, 2023, Municipal Planning Commission Meeting at 9:06 a.m.

DATE

CHAIRPERSON

DATE

CHIEF ADMINISTRATIVE OFFICER

Clear Hills County

Request For Decision (RFD)

Meeting:	Municipal Planning Commission Meeting
Meeting Date:	November 14, 2023
Originated By:	Shelby Janzen
Title:	DEVELOPMENT PERMIT APPLICATION – HENRY & ANNIE BANMAN
File:	61-02-02

DESCRIPTION:

Development Permit Application W32-23 was received from Henry and Annie Banman to keep poultry on Plan 1444KS Block 4 Lot 7 in the Hamlet of Worsley.

BACKGROUND:

Zoning: Hamlet Residential 1 (HR1)

Use: Discretionary (Bylaw 257-20)

Manure Disposal Plan: Will be hauling to Daniel Driedger's garden located outside of the hamlet.

Number and breeds of hens: 2 hens in which the breed is unknown to both the developer and the seller. 6 is the maximum allowed.

Notification of Neighboring Properties: Development officer will send out adjacent landowner letters.

Provincial Premises ID number (PID): AA01KD7NU.

The size of the coop is deemed appropriate for 2 hens: 3x3.25 feet with the outdoor enclosure having a total footprint of 7x3 feet. This gives each Hen an interior area of 5.25 ft² (minimum requirement is 4ft²) and an outdoor enclosure area of 11.4 ft² (minimum requirement is 10 ft²)

ATTACHMENTS:

Development Permit Application

RECOMMENDED ACTION:

That the Municipal Planning Commission approves Development Permit Application W32-23 from Henry and Annie Banman to keep poultry on Plan 1444KS Block 4 Lot 7 in the Hamlet of Worsley, subject to the following conditions:

1. The coop and outdoor enclosure must be located within the rear yard of the property:
2. Minimum setbacks for the coop and outdoor enclosure are:
 - a. Side and rear yard property lines 0.9 meters (3 feet)
 - b. Dwelling 1.8 meters (6 feet)
3. Maximum capacity is six (6) Hens.
4. No Roosters may be kept or raised.

Initials show support - Reviewed by: Development Officer: 	Manager:
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5. Minimum coop and outdoor enclosure requirements:
 - a. have an interior floor area of 0.37 m² (or 4 ft²) per hen.
 - b. include at least one (1) nesting box and one (1) perch at least 15 cm (or 6 in.) long per hen.
 - c. have an outdoor enclosure with an area of 0.92m² (or 10ft²) per hen.
 - d. have feed and water containers, which are fully enclosed and airtight.
 - e. have adequate ventilation.
 - f. be built to be weatherproof and predator proof.
 - g. be kept in good and sanitary condition at all times.
6. The coop and outdoor enclosure shall be cleaned at least once annually.
7. Manure and bedding will be composted.
8. The Hens will be secured with the coop and outdoor enclosure at all times.
9. The keeping of Hens is for personal use only. Any sale of eggs, meat and manure from the poultry is prohibited.
10. Disposal or slaughter of hens is prohibited within a residential property. Owners are required to deliver the poultry to a farm, abattoir or veterinary clinic for proper disposal or slaughter.

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

FORM A

Page 1

**APPLICATION FOR
DEVELOPMENT PERMIT**

FOR ADMINISTRATIVE USE ONLY

APPLICATION NO.:	W32-23		
DATE RECEIVED:			
FEES 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 <i>Henry n Annie Bauman</i>						NAME OF REGISTERED LAND OWNER		
ADDRESS <i>Box 113 Worsley</i>						ADDRESS		
POSTAL CODE <i>T0H 3W0</i>		EMAIL				POSTAL CODE		EMAIL
CONTACT NUMBERS						CONTACT NUMBERS		
Home <i>780-685-2018</i>						Home		
Business						Business		
Cell <i>780-685-835-9223</i>						Cell		
LAND INFORMATION								
Legal description of proposed development site								
QTR/L.S.	SEC.	TWP.	RG.	M.	OR	REGISTERED PLAN NO.	BLOCK	LOT
						<i>Plan 1444 KS</i>	<i>4</i>	<i>7</i>
Size of the proposed development site:								
LENGTH		m	WIDTH		m	NUMBER OF HECTARES		OR ACRES
		ft			ft			
Lot type:						LAND USE DISTRICT:		
INTERIOR CORNER THROUGH								
Describe the existing use of the land:								
<i>Residence</i>								

APPLICATION FOR DEVELOPMENT PERMIT

FORM A

Page 2

DEVELOPMENT INFORMATION			
Describe the proposed use of the land: <div style="text-align: center; font-size: 1.2em; margin-top: 10px;">Keeping of hens in hamlet. 5</div>			
Check (✓) any proposed use(s) not identified above:			
Dwelling unit(s)	Accessory structure(s) / use(s)	Home Occupation(s)	
Sign(s)	Commercial or industrial structure(s) / use(s)		
Other (specify)			
Indicate the proposed setback from the property line:			
FRONT YARD	REAR YARD	SIDE YARD (1)	SIDE YARD (2)
m ft	m ft	m ft	m 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: <div style="text-align: center; font-size: 1.2em;">~5 ft</div>	SETBACK FROM SIDE LOT LINE:	SETBACK FROM REAR LOT LINE:
The land is adjacent to:			
PRIMARY HIGHWAY		SECONDARY HIGHWAY	
		RURAL ROAD	
Estimate the Project:			
COMMENCEMENT DATE <div style="text-align: center; font-size: 1.2em;">Spring 2024</div>	COMPLETION DATE	CONSTRUCTION COSTS	
Attached is			
(a) SITE PLAN Yes No N/A		(b) FLOOR PLAN Yes No N/A	
DECLARATION			
I/WE hereby declare that the above information is, to the best of my/our knowledge, factual and correct.			
DATE: <div style="text-align: center; font-size: 1.2em;">9/8/23</div>	SIGNATURE OF APPLICANT: <div style="display: flex; justify-content: space-between;"><div style="text-align: center;"><i>Henry Banman</i></div><div style="text-align: center;"><i>Annie Banman</i></div></div>		
DATE: <div style="text-align: center; font-size: 1.2em;">9/8/23</div>	SIGNATURE OF REGISTERED LAND OWNER: <div style="display: flex; justify-content: space-between;"><div style="text-align: center;"><i>Henry Banman</i></div><div style="text-align: center;"><i>Annie Banman</i></div></div>		

**APPLICATION FOR
DEVELOPMENT PERMIT**

FORM A

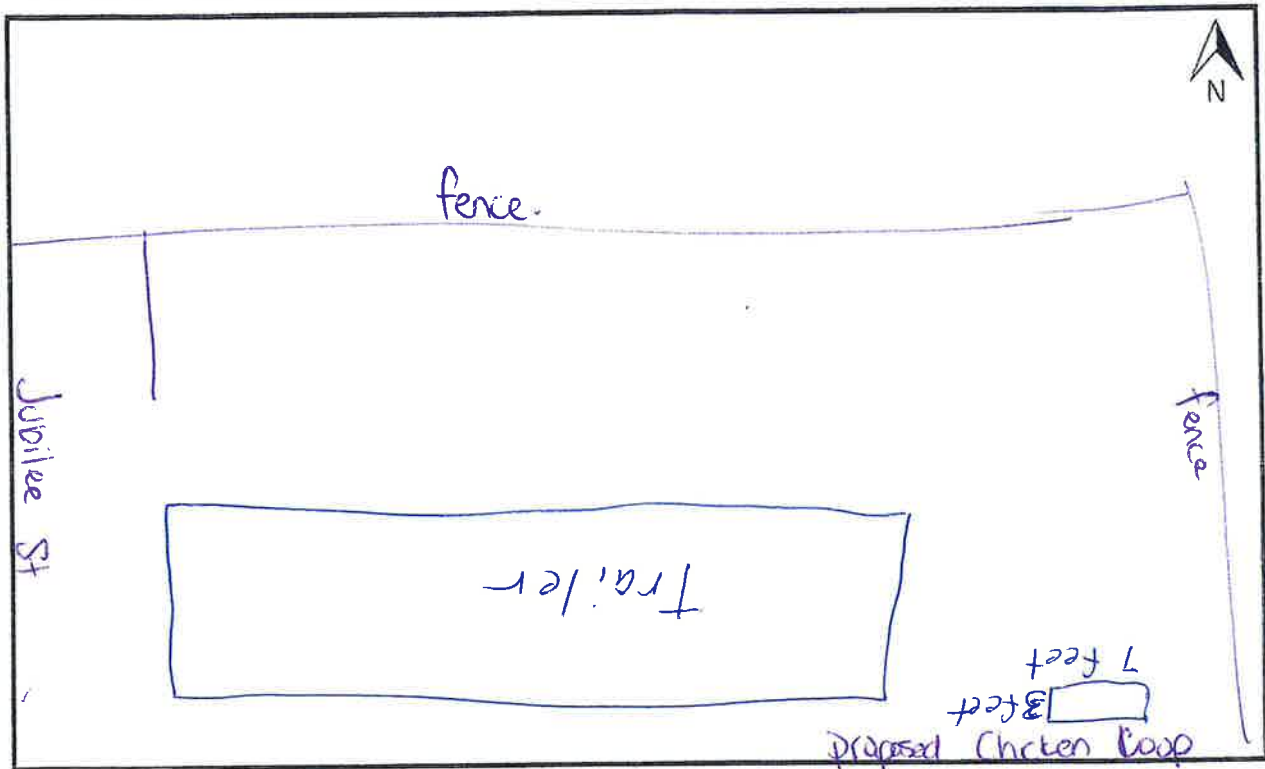
Page 3

SITE MAP

LEGAL LAND DESCRIPTION: Plan 1444KS Block 4 Lots 6/7

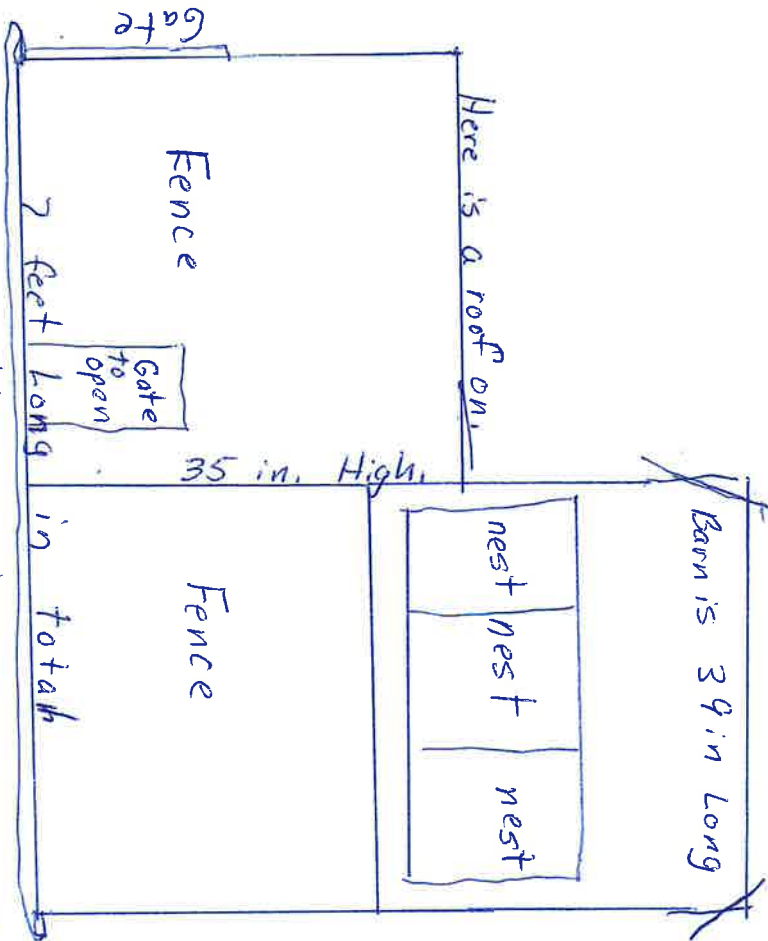
For industrial or commercial development, attach engineered drawings of proposed development.

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



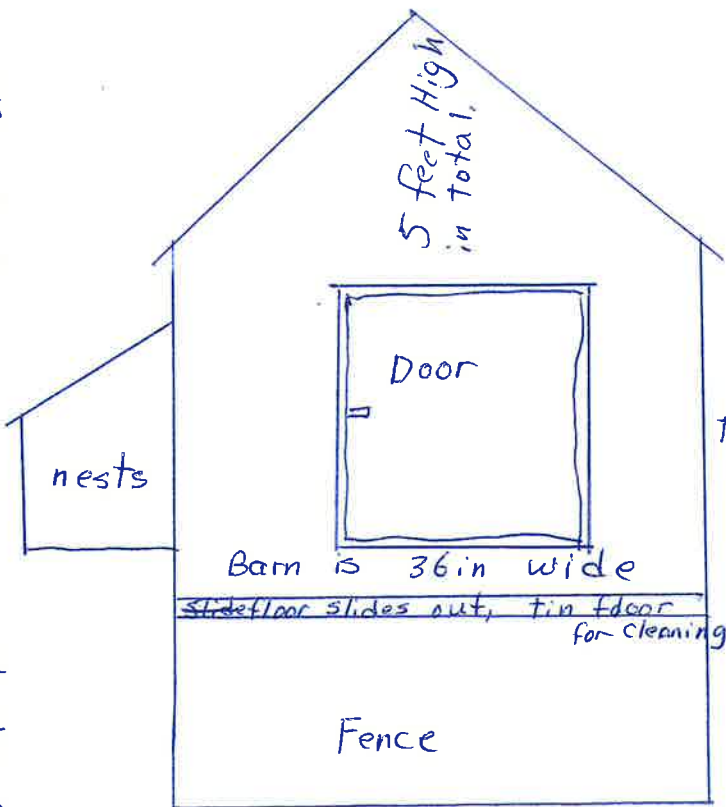
Please indicate the following if they apply to your proposed development:

- ☐ 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



This is the side,

it has over all a floor,
it is easy to clean,
we want to put part moos in
the Barn and in the Fence,
The manur goes to ~~Dani~~ Daniel
Driedgers to The Garden,



This side
has a window.
to open.

This is the end

The Lady were we want to Buy
the Hens, don't know what kind, she
has mixed ones, she sad they are
giving her eggs, the colers are
Black, Brown, grey, white,
This is the PID number

AA01KD7NU

**APPLICATION FOR
DEVELOPMENT PERMIT**

FORM A

Page 7

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, HENRY BANMAN, 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: Plan 1444 KS B4 L 7

09/20/23
DATE:

Henry Banman
SIGNATURE OF APPLICANT:

Clear Hills County

Request For Decision (RFD)

Meeting:	Municipal Planning Commission Meeting
Meeting Date:	November 14, 2023
Originated By:	Shelby Janzen
Title:	SUBDIVISION REFERRAL – DAVID MURPHY
File:	61-02-02

DESCRIPTION:

Subdivision referral 23MK030 was received from Mackenzie Municipal Services Agency regarding the application for an 11.58 acres (4.69 ha) farmstead separation, first parcel out subdivision from David Murphy for SW-1-86-8-W6M.

BACKGROUND:

- Zoning: Agricultural District 1 (AG1)
- Road Access:
 - Existing shared approach to the proposed lot and balance of the quarter via HWY 726.
 - Existing approaches to the balance of the quarter via TWP RD 860.
- Topography: Flat
- There is a developed farmstead on the proposed lot. The balance of the quarter is largely cultivated and contains a dugout.
- The parcel is subject to a utility right of way caveated by North Peace Gas Co-op and a surface lease caveated by Encounter Energy Inc.
- Servicing: The proposed lot is serviced with an existing sewage lagoon. Water is supplied by a dugout.
- Parcel Size: Proposed parcel size may be deemed appropriate for the intended use.
- Legislation: The lagoon does not meet the minimum provincial setback requirement 45 m from the dwelling and 100 m from the water source. The landowner will have to address the setback issue (part of the condition to subdivide). The dugout does not meet the minimum interior side yard setback requirement of 15.24 m and may be accommodated through a variance at the discretion of the development authority.

ATTACHMENTS:

- Subdivision application

OPTIONS:

- A. Deny the request.
- B. Approve the subdivision request with the conditions listed and, or the following conditions.
- C. Approve the subdivision request with the conditions listed and an interior side yard setback variance.

Initials show support - Reviewed by: Development Officer:

Manager:

RECOMMENDED ACTION:

RESOLUTION BYthat the Municipal Planning Commission recommend Mackenzie Municipal Services Agency approve the farmstead separation, first parcel out subdivision with an interior side yard setback variance from David Murphy for SW-1-86-8-W6M (11.58 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.
3. The landowner address the sewage setback issue either by moving the pump-out location or by applying to the province for variance.

Initials show support - Reviewed by: Development Officer:

Manager:





MACKENZIE MUNICIPAL SERVICES AGENCY

5109 – 51 Street P.O. Box 450

Berwyn, Alberta T0H 0E0

Phone: 780-338-3862

www.mmsa.ca

DATE: November 7, 2023

FILE NO.: 23MK030

MUNICIPALITY: Clear Hills County

LEGAL: SW.1.86.8.W6M

OWNER: David Murphy

PROPOSED LAND USE: Farmstead Separation

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: Taofeek Oladipo

Telus: Grande Prairie

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

ATCO Pipeline: HP.Circulations.com

Encounter Energy Inc

North Peace Gas Co-op

Alberta Transportation and Economic Corridors: Peace Region

Municipality: Clear Hills County

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 WHEREEVER 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:

Address and phone number:

David D Murphy

(Full Name in Block Capitals)

Box 122, Worsley, Alberta, T0H 3W0

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

Address and phone number:

Borderline Surveys Ltd / Jason Coates

(Full Name in Block Capitals)

Box 43, Clairmont, AB, T8X 0T8

3. LEGAL DESCRIPTION AND AREA OF LAND TO BE SUBDIVIDED:

All/part of the SW $\frac{1}{4}$ Sec 1 TWP 86 Range 8 West of 6 Meridian

Being all/parts of Lot Block Registered Plan No. C.O.T. No. 112 126 521 +1

Area of the above parcel of land to be subdivided 4.69 hectares 11.58 (acres) 1 lot

Municipal Address if applicable 860029 Hwy 726

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 Hwy 726 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 Agriculture

b. Proposed use of the land Agriculture

c. The designated use of the land as classified under a land use bylaw

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) brush and trees

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.

Abandoned house water dugout, Septic Lagoon

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

I, Jason Coates / Borderline Surveys

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 43, Clairmont, AB, T8X 0T8

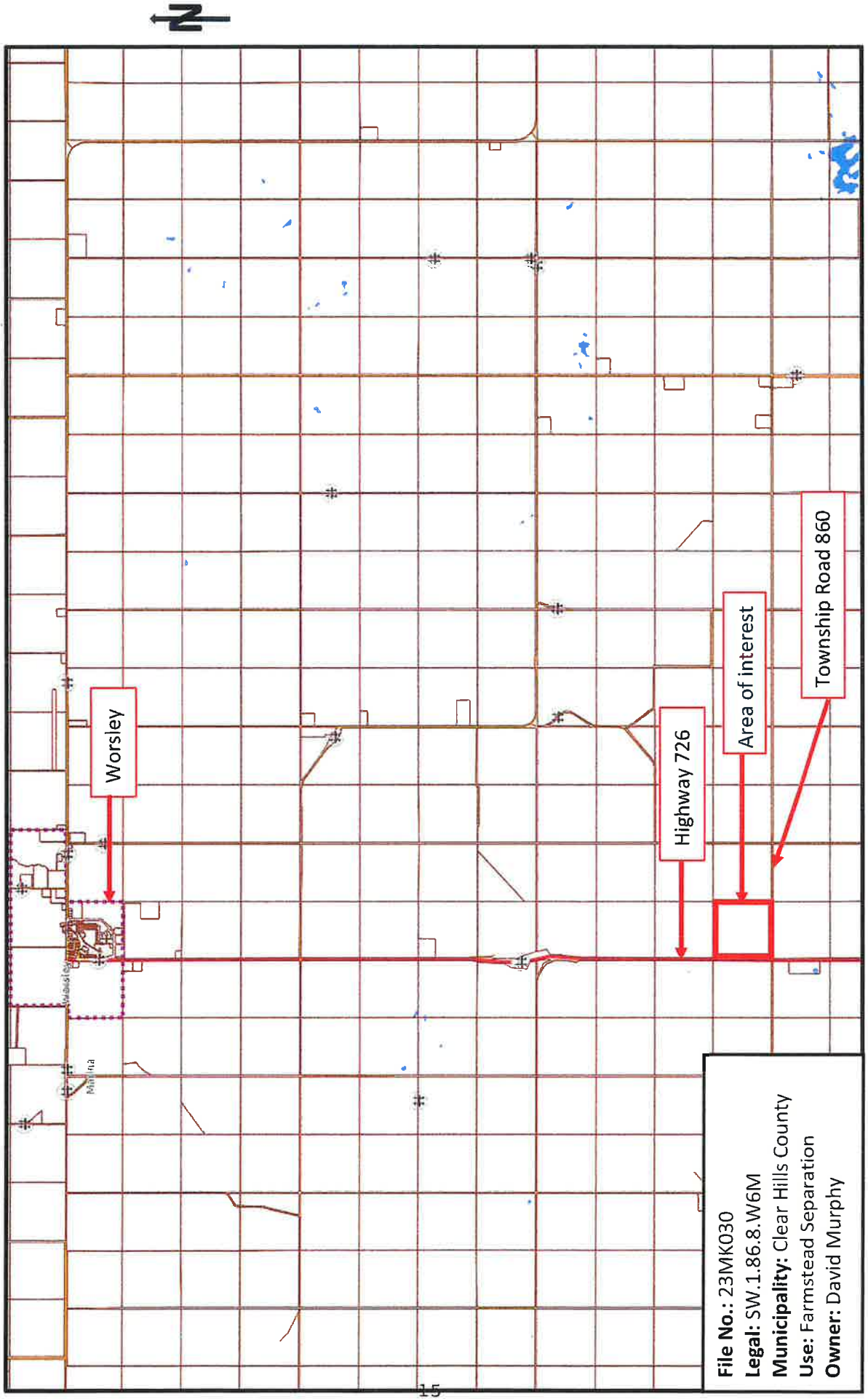
Signature: Jason Coates

Phone No.: 780-538-1955

Date: Nov 1-2023

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

LOCATION MAP



TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF

S.W. $\frac{1}{4}$ Sec. 1, Twp. 86, Rge. 8, W. 6M.

Within

Clear Hills County, Alberta



Photo is Drone Imagery Flown 2023-05-01
and current Bing Imagery

0 50 100 200 300 400 500 m

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.	Revision	Type	Drafted	Chk'd	Surveyed	Date
1	Changed to 1 lot	DN	JC	JC		Oct 31, 2023
Client File No: N/A			Job No: 230097T			Sheet: 3 of 4
File No: 230097T			Revision			1

TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF

S.W. $\frac{1}{4}$ Sec. 1, Twp. 86, Rge. 8, W. 6M.

Within

Clear Hills County, Alberta



Photo is Drone Imagery Flown 2023-06-01



SCALE 1:2000



PREPARED BY
Jason Coates, A.L.S.

**BORDERLINE
SURVEYS**

#103-2, 8301 99 Street
Clairmont, Alberta T6X 5B1
Phone: (780) 538-1955
E-mail: jwc.surveyor@gmail.com

Revision Table

No.	Revision Type	Drafted	Chk'd	Surveyed	Date
1	Changed to 1 lot	DN	JC	JC	Oct 31, 2023
Client File No: N/A					
File No: 230097T		Job No: 230097		Sheet: 4 of 4	Revision: 1

TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF
S.W. $\frac{1}{4}$ Sec. 1, Twp. 86, Rge. 8, W. 6M.
Within
Clear Hills County, Alberta

Schedule of Area(s)

Contains 1 Lot,
Containing 4.69 ha (11.69 Ac.)

Registered Title Encumbrances (Affecting Extent of Title)

922 123 743 Utility Right of Way - North Peace Gas Co-op Ltd

Notes

- Distances are in Metres and Decimals Thereof
- Plan measurements based from a field inspection conducted on June 1st, 2023

Legend

Area Affected by This Plan is Outlined Thus
Roads Shown Thus
Fence Shown Thus
Gas Co-op Shown Thus
Overhead Power Shown Thus
Power Pole Shown Thus
Water Well/Clean Shown Thus
Septic Tank Shown Thus
Septic Discharge Shown Thus

Land Owner(s)

David D Murphy
C of T: 112 126 921 +1

Site Information

Address: 860029 Hwy 726

Approximate Location of North
Peace Gas Co-op Ltd.



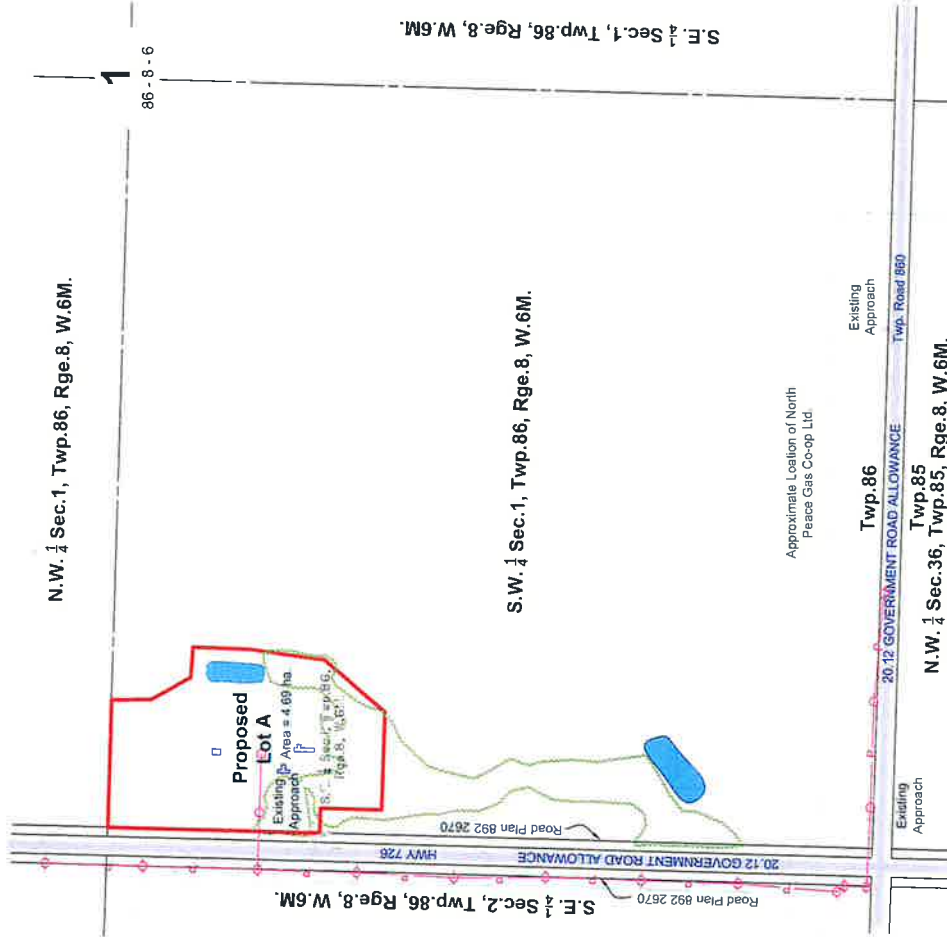
**BORDERLINE
SURVEYS**

#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.

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Sheet: 1 of 4						
Revision						



SCALE 1:5000

TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF
S.W. $\frac{1}{4}$ Sec. 1, Twp. 86, Rge. 8, W. 6M.
Within
Clear Hills County, Alberta

**BORDERLINE
SURVEYS**

#103-2, 8301 99 Street
Calmar, Alberta T8X 5B1
Phone: (780) 538-1965
E-mail: jwc.surveyor@gmail.com



PREPARED BY
Jason Coates, A.L.S.



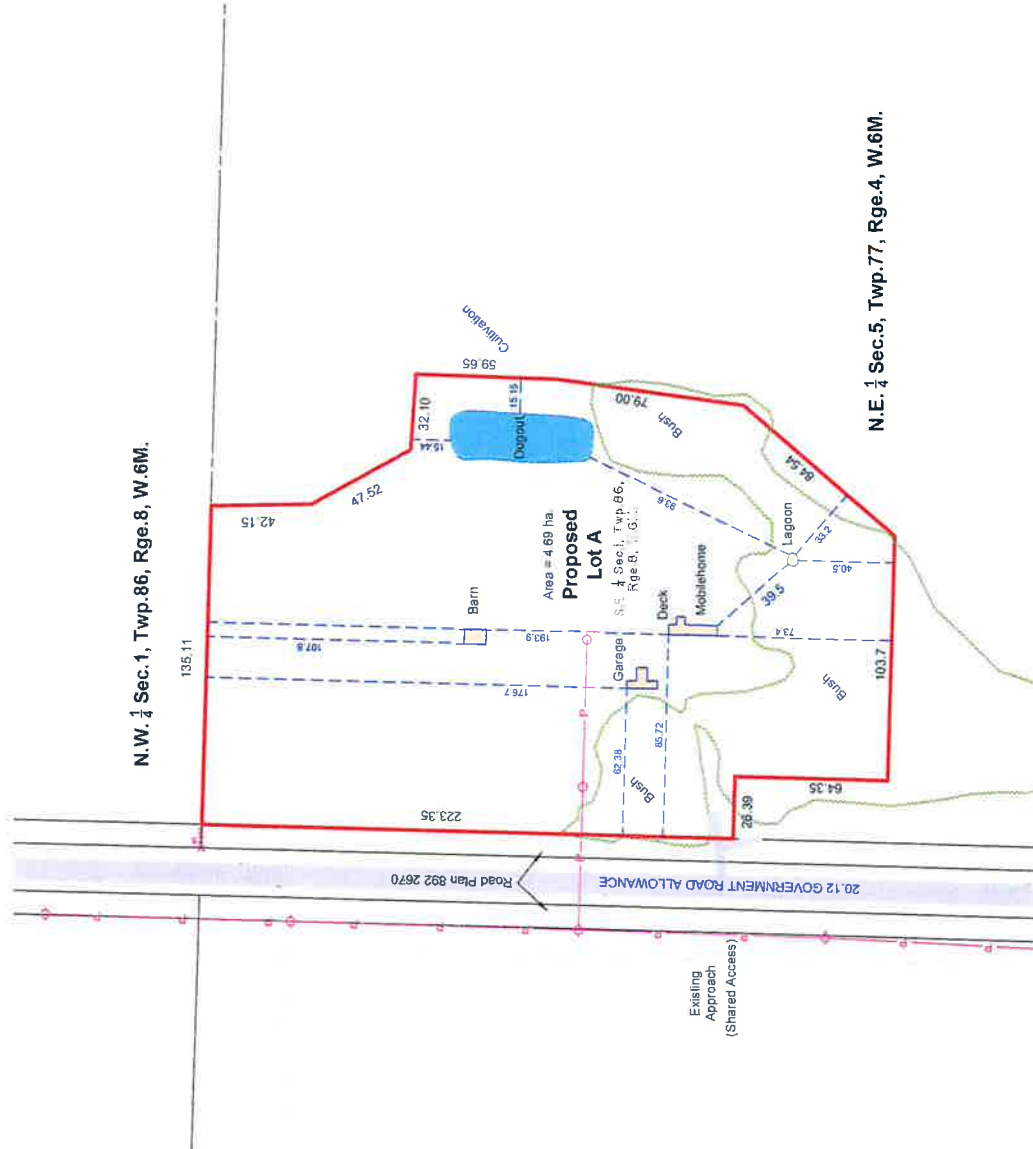
SCALE 1:2000

Notes

- The house is served by a septic lagoon

Revision Table

No.	Revision Type	Drafted	Chk'd	Surveyed	Date
1	Changed to 1 lot	DN	JC	JC	Oct. 31, 2023
Client File No: N/A					
File No: 230097T					
Job No: 230097					
Sheet					2 of 4
					Revision



N.W. $\frac{1}{4}$ Sec. 1, Twp. 86, Rge. 8, W. 6M.

N.E. $\frac{1}{4}$ Sec. 5, Twp. 77, Rge. 4, W. 6M.

**MACKENZIE MUNICIPAL SERVICES AGENCY
SUBDIVISION COMMENTS**

MUNICIPALITY:	<u>Clear Hills County</u>	DATE RECEIVED:	<u>November 1, 2023</u>
FILE:	<u>23MK030</u>	DEEMED COMPLETE ON:	<u>November 7, 2023</u>
LEGAL:	<u>SW.1.86.8.W6M</u>	EXPIRY DATE:	<u>January 6, 2024</u>
APPLICANT/AGENT:	<u>Borderline Surveys Ltd</u>		

PROPOSAL: The proposal is to subdivide 11.58 acres from an unsubdivided quarter section to accommodate a farmstead separation.

ACREAGE IN TITLE: 158.02 acres

RESERVE REQUIREMENT: N/A

PROXIMITY TO URBAN MUNIC: Approximately 5.02 miles south of Worsley.

PREVIOUS APPLICATIONS: N/A

SITE CHARACTERISTICS

C.L.I.: 80% 4t 5w, 20% 3c

TOPOGRAPHY: The existing topography is described as flat.

EXISTING USE/DEVELOPMENT: There is a developed farmstead on the proposed lot, comprised of a manufactured home, garage, barn, sewage lagoon and dugout, with associated servicing. The remainder of the proposed lot is largely cleared and partly treed/bushy. The balance of the quarter section is largely cultivated and contains a dugout south of the proposed lot. The parcel is subject to a utility right of way caveated by North Peace Gas Co-op and a surface lease caveated by Encounter Energy Inc.

ROAD ACCESS: There is an existing shared approach to the proposed lot and the balance of the quarter section via Highway 726 to the west. The balance of the quarter section has two additional approaches via Township Road 860 to the south.

SERVICING: The proposed lot is serviced with the sewage lagoon for onsite sewage treatment and disposal, and dugout for water supply. The lagoon does not meet the minimum provincial setback requirement of 45 metres from the dwelling (manufactured home) and 100 metres from the water source (dugout), which would have to be addressed, unless variance is granted by the Province.

PARCEL SIZE: The proposed parcel size may be deemed appropriate for the intended use.

LEGISLATION

LAND USE BYLAW: The proposed subdivision is located within the Agriculture District (AG-1). The Land Use Bylaw indicates a minimum parcel size of 3 acres and a maximum of 10 acres for farmstead separation. However, 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, existing and proposed services and site characteristics (refer to section 10.4 (3)(a)). The proposed parcel size of 11.58 acres may be allowed, considering the nature of the developments onsite. Majority of the existing developments on the lot meet the setback requirements of the Land Use Bylaw, except the lagoon (see comments above) and the dugout. The dugout does not meet the minimum interior side yard setback requirement of 15.24m, and may be accommodated through variance at the discretion of the Development Authority.

MUNICIPAL DEVELOPMENT PLAN: May be allowed.

INTER MUNICIPAL DEV. PLAN: N/A

MATTERS RELATED TO SUBDIVISION AND DEVELOPMENT REGULATION: Section 7(6)(c) and (d) applies. Application will be referred to Alberta Transportation and Economic Corridors, and other appropriate utility agencies, for comments.

MUNICIPAL GOVERNMENT ACT: No conflicts.
