

AGENDA
CLEAR HILLS COUNTY
MUNICIPAL PLANNING COMMISSION MEETING
December 12, 2023

The regular meeting of the Municipal Planning Commission for the Clear Hills County will be held on Tuesday, December 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 December 12, 2023* 1
- C) ADOPTION OF THE PREVIOUS MINUTES**
 - A. *ORGANIZATIONAL MEETING of November 28, 2023*..... 2
 - B. *REGULAR MEETING of November 28, 2023*..... 4
- D) BUSINESS ARISING OUT OF THE MINUTES**
- E) DELEGATION**
- F) BY-LAW**
- G) OLD BUSINESS**
- H) NEW BUSINESS**
 - A. *SUBDIVISION REFERRAL- C Klassen* 6
- 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
ORGANIZATIONAL MEETING
COUNTY COUNCIL CHAMBERS
TUESDAY, NOVEMBER 28, 2023**

PRESENT

Danae Walmsley	Member
David Janzen	Member
Abram Giesbrecht	Member
Susan Hansen	Member
Jason Ruecker	Member

ABSENT

ATTENDING

Allan Rowe	Chief Administrative Officer (CAO)
Shelby Janzen	Corporate Services Clerk (CSC)
Bonnie Morgan	Executive Assistant (EA)

CALL TO ORDER

Chief Administrative Officer (CAO), Allan Rowe called the meeting to order at 9:00 a.m.

AGENDA

M50-23 (11/28/23)

RESOLUTION by Deputy Reeve Janzen to adopt the agenda governing the November 28, 2023, Municipal Planning Commission Organizational Meeting, as presented.

CARRIED.

NEW BUSINESS

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.

Hansen nominates Walmsley, Councillor Walmsley declines. Councillor Walmsley nominates Councillor Giesbrecht, Councillor Giesbrecht accepts.

CAO Allan Rowe called nominations for Chairperson for a second time.

CAO Allan Rowe called nominations for Chairperson a third and final time.

M51-23 (11/28/23)

RESOLUTION by Councillor Ruecker to end the nomination period for the election of Chairperson.

CARRIED.

M52-23 (11/28/23)

RESOLUTION by Deputy Reeve Janzen to appoint Councillor Giesbrecht as the Municipal Planning Commission Chairperson by acclamation. CARRIED.

Chairperson Giesbrecht took the Chair.

Chairperson Giesbrecht called for nominations for Deputy Chair.

Deputy Reeve Janzen nominates Councillor Walmsley.

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

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

M53-23 (11/28/23)

RESOLUTION by Councillor Hansen to end the nomination period for the election of Deputy Chairperson. CARRIED.

M54-23 (11/28/23)

RESOLUTION by Councillor Ruecker to appoint Councillor Walmsley as the Municipal Planning Commission Deputy Chairperson by acclamation. CARRIED.

ADJOURNMENT

Chairperson Giesbrecht adjourned the November 28, 2023, Organizational Municipal Planning Commission Meeting at 9:05 a.m.

DATE

CHAIRPERSON

DATE

CHIEF ADMINISTRATIVE OFFICER

**MINUTES OF CLEAR HILLS COUNTY
MUNICIPAL PLANNING COMMISSION
COUNTY COUNCIL CHAMBERS
TUESDAY, NOVEMBER 28, 2023**

PRESENT

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

ABSENT

ATTENDING

Allan Rowe	Chief Administrative Officer (CAO)
Bonnie Morgan	Executive Assistant (EA)
Shelby Janzen	Corporate Services Clerk (CSC)

CALL TO ORDER

Chair Giesbrecht called the meeting to order at 9:06 a.m.

ACCEPTANCE OF
AGENDA

M55-23 (11-28-23)

RESOLUTION by Member Janzen to adopt the agenda governing the November 28, 2023, Municipal Planning Commission Meeting, as presented. CARRIED.

APPROVAL OF
MINUTES

Previous Regular
Meeting Minutes

M56-23 (11-28-23)

RESOLUTION by Deputy Chair Walmsley to adopt the minutes of the November 14, 2023, Municipal Planning Commission Meeting, as presented. CARRIED.

NEW BUSINESS

Subdivision Referral
M Zacharias

Subdivision referral 23MK032 was received from Mackenzie Municipal Services Agency regarding the application for subdividing 3.5 acres (1.40 ha) from an unsubdivided quarter section (NW-1-85-11-W6M) as a farmstead separation.

M57-23 (11-28-23)

RESOLUTION by Member Janzen that the Municipal Planning Commission recommend Mackenzie Municipal Services Agency approve the farmstead separation from Margaret Zacharias on NW-1-85-11-W6M (3.5 acres) with no easement, 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.**

Chair Giesbrecht recessed the meeting at 9:30 a.m.
Chair Giesbrecht reconvened the meeting at 2:33 p.m.

NEW BUSINESS

Subdivision Proposal
C Klassen

Mackenzie Municipal Services Agency received an application for a 20.3 acre (8.21 ha) farmstead separation, first parcel out subdivision from Cornelius Klassen and would like the Municipal Planning Commission to review it before further processing is done.

M58-23 (11-28-23)

RESOLUTION by Chairperson Giesbrecht to support in principle the proposal from Mackenzie Municipal Services Agency to subdivide 20.3 acres off SW-28-84-9-W6M as a farmstead separation. CARRIED.

ADJOURNMENT

Chair Giesbrecht adjourned the November 28, 2023, Municipal Planning Commission Meeting at 2:45 p.m.

DATE

CHAIRPERSON

DATE

CHIEF ADMINISTRATIVE OFFICER

Clear Hills County

Request For Decision (RFD)

Meeting:	Municipal Planning Commission Meeting
Meeting Date:	December 12, 2023
Originated By:	Shelby Janzen, Corporate Services Clerk
Title:	SUBDIVISION REFERRAL – CORNELIUS L KLASSEN
File:	61-02-02

DESCRIPTION:

Subdivision referral 23MK033 was received from Mackenzie Municipal Services Agency regarding the application from Cornelius Klassen for subdividing 20.3 acres (8.21 ha) off an unsubdivided quarter section (SW-28-84-9-W6M) as a farmstead separation.

BACKGROUND:

- Zoning: Agricultural District 1 (AG1)
- Road Access:
 - Existing approach to the proposed lot via TWP RD 844- also used as the approach to the dwelling outside the proposed lot.
 - Existing approach to the balance of the quarter via undeveloped road allowance on west side of the quarter section.
- Topography: flat
- Servicing: The proposed lot is serviced with an open discharge septic system. Water is supplied by a dugout south of the home. The dugout does not meet the front yard setback requirement of 40.8 meters minimum (4.8 m) from the road right-of-way. This may be accommodated through variance or required to be relocated to comply with the setback requirement.

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 the front yard setback variance.

RECOMMENDED ACTION:

RESOLUTION BY... that the Municipal Planning Commission recommend Mackenzie Municipal Services Agency approve the farmstead separation from Cornelius Klassen on SW-28-84-9-W6M (20.3 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: 



MACKENZIE MUNICIPAL SERVICES AGENCY

5109 – 51 Street P.O. Box 450
Berwyn, Alberta T0H 0E0
Phone: 780-338-3862
www.mmsa.ca

DATE: November 29, 2023
FILE NO.: 23MK033

MUNICIPALITY: Clear Hills County

LEGAL: SW.28.84.9.W6M

OWNER: Cornelius Klassen

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

Canadian Natural Resources Limited

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: Cornelius L Klassen Address and phone number: Box 85, Cleardale, Ab, T0H 3Y0, 780-835-6910
(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 SW $\frac{1}{4}$ Sec 28 TWP 84 Range 9 West of 6 Meridian
Being all/parts of Lot _____ Block _____ Registered Plan No. _____ C.O.T. No. _____
Area of the above parcel of land to be subdivided 8.21 hectares 20.3 (acres) 1 Lot
Municipal Address if applicable _____

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 X No _____ If "yes", state its name: dug out
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 / Fire destroyed 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.
The house is served by a septic discharge, water source is a dugout.

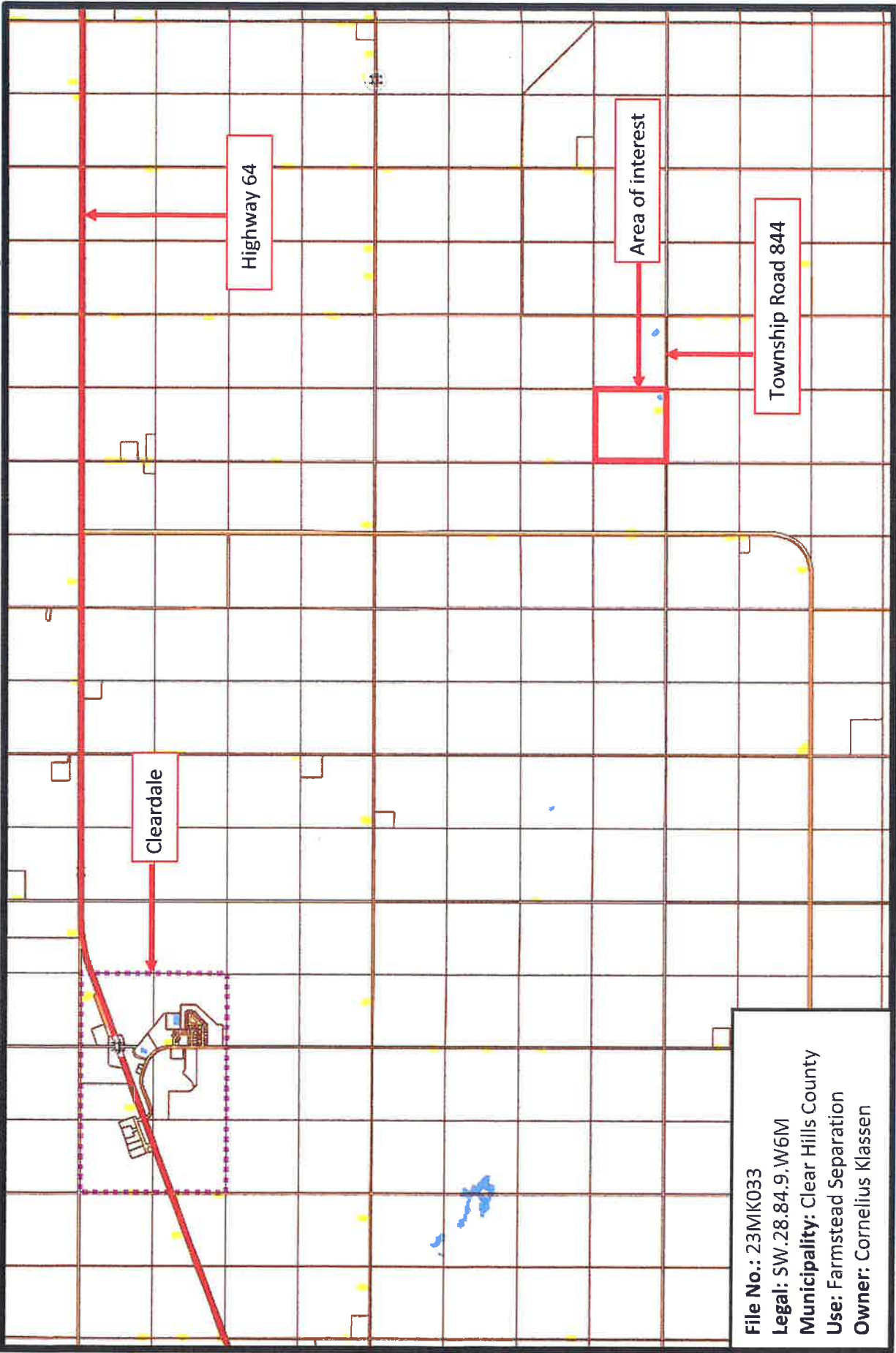
9. REGISTERED OWNER OR PERSON ACTING ON THE REGISTERED OWNER'S BEHALF
I, Borderline Surveys Ltd/Jason Coates hereby certify that
(Full Name in Block Capitals)
 I am the registered owner, or
 I am the agent authorized to act on behalf of the registered owner

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 Date: November 6, 2023



LOCATION MAP



File No.: 23MK033
Legal: SW.28.84.9.W6M
Municipality: Clear Hills County
Use: Farmstead Separation
Owner: Cornelius Klassen

TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF

S.W. ¼ Sec.28, Twp.84, Rge.9, W.6M.
(For Farmyard Separation)
Within

Clear Hills County, Alberta



PREPARED BY
Jason Coates, A.L.S.

BORDERLINE SURVEYS

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

Revision Table

No.	Revision Type	Drafted	Chk'd	Surveyed	Date
0	Original		JC	JC	Oct 30, 2023
Client File No. N/A					
File No. 250195T					
Job No. 230195					Street: 3 of 4
					Revision: 0



Photo is current AbaData Imagery



SCALE 1:5000

TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF

S.W. 1/4 Sec. 28, Twp. 84, Rge. 9, W. 6M.
(For Farmyard Separation)

Within

Clear Hills County, Alberta



PREPARED BY
Jasr Coles, A.L.S.

BORDERLINE SURVEYS

#109-2, 8301 99 Street
Clairmont, Alberta T8X 5B1
Phone: (780) 538-1955
E-mail: jvc.surveyor@gmail.com

Revision Table

No.	Original	Revision Type	Drafted	Chk'd	Surveyed	Date
0			JVC	JVC		Oct. 30, 2023
Client File No: N/A						Sheet: 4 of 4
File No: 230195T						Job No: 230195
Revision						0



TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF
S.W. ¼ Sec. 28, Twp. 84, Rge. 9, W. 6M.
 (For Farmyard Separation)
 Within
 Clear Hills County, Alberta

Schedule of Area(s)

Contains 1 Lot,
 Containing 9.21 ha (20.3 Ac.)

Registered Title Encumbrances (Affecting Extent of Title)

992 084 95s Utility Right of Way - Canadian Natural Resources Limited

Notes

- Distances are in Metres and Decimals Thereof
- Plan measurements based from a field inspection conducted on Oct. 27, 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/Cistern Shown Thus
- Septic Tank Shown Thus
- Septic Discharge Shown Thus

Land Owner(s)

Cornelius L. Klassen
 C of T. 122271 190

Site Information

Address 93054 A&B Twp. Road 644



BORDERLINE SURVEYS

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



ALBERTA LAND SURVEYORS ASSOCIATION
 P 298
 BORDERLINE SURVEYS LTD.

PREPARED BY
 Jascc Coates, A.L.S.



SCALE 1:5000

Revision Table		Date	
No.	Revision Type	Drafted	Surveyed
0	Original	JC	Oct 30, 2023
Client File No: N/A		Sheet: 1 of 4	
File No: 230195T		Job No: 230195	
		Revision: 0	

TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF
 S.W. 1/4 Sec.28, Twp.84, Rge.9, W.6M.
 (For Farmyard Separation)

Within
 Clear Hills County, Alberta



Notes

- The house is served by a septic discharge
- Water source is a dugout
- Some buildings may have been erected and others moved since the date of this photo
- Yardstick was buried in final (2023) so aerial imagery is not reflective of current quarter section



#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	Checked	Surveyed	Date
0	Original	MM	JC	JC	Oct 30, 2023
Client File No: N/A					
File No: 230195T					
Job No: 230195					Sheet 2 of 4
Revision					0



SCALE 1:2000

**MACKENZIE MUNICIPAL SERVICES AGENCY
SUBDIVISION COMMENTS**

MUNICIPALITY: Clear Hills County DATE RECEIVED: November 10, 2023
FILE: 23MK033 DEEMED COMPLETE ON: November 29, 2023
LEGAL: SW.28.84.9.W6M EXPIRY DATE: January 28, 2024
APPLICANT/AGENT: Borderline Surveys Ltd

PROPOSAL: The proposal is to subdivide 20.3 acres from an unsubdivided quarter section to accommodate a farmstead separation.

ACREAGE IN TITLE: 160

RESERVE REQUIREMENT: N/A

PROXIMITY TO URBAN MUNIC: Approximately 4.40 miles southeast of Cleardale (see location map).

PREVIOUS APPLICATIONS: N/A

SITE CHARACTERISTICS

C.L.I.: 80% 4w, 18% 5w, 2% 0

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, shed, dugout and propane tanks, with associated servicing. The remainder of the proposed lot is partly cleared and partly bushy/treed, which was affected by the summer wildfire. The balance of the quarter section contains a manufactured home, sheds, shelter, dug out, lagoon, corral and propane tanks, with associated servicing. The remainder of the balance is partly cleared and partly bushy/treed, which was also affected by the summer wildfire. The parcel is subject to a utility right of way, caveated by Canadian Natural Resources Limited.

ROAD ACCESS: There is an existing approach to the proposed lot via Township Road 844 to the south. The balance of the quarter section also has an existing approach via an undeveloped road allowance to the west.

SERVICING: The proposed lot is serviced with an existing open discharge septic system for onsite sewage treatment and disposal, which meets current regulations, and the dugout for water supply. The dugout, however, does not meet the required front yard setback requirements from the road right of way.

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)(i)). The proposed parcel size of 20.3 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 dugout which does not meet the required front yard setback of 40.8 m (134 ft) from road right-of-way or 70 m (229.6 ft) from the centre line. This may either be accommodated through variance or required to be relocated to comply with the front yard setback requirement, 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) applies. Application will be referred to the appropriate utility agencies for comments.

MUNICIPAL GOVERNMENT ACT: No conflicts.

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