

AGENDA
CLEAR HILLS COUNTY
MUNICIPAL PLANNING COMMISSION MEETING
January 23, 2024

The regular meeting of the Municipal Planning Commission for the Clear Hills County will be held on Tuesday, January 23, 2024, at 9:00 a.m. in the Council Chambers, 313 Alberta Avenue, Worsley Alberta.

- A) CALL TO ORDER**
- B) AGENDA**
 - A. *REGULAR MEETING of January 23, 2024*..... 1
- C) ADOPTION OF THE PREVIOUS MINUTES**
 - A. *REGULAR MEETING of December 12, 2023*..... 2
- D) BUSINESS ARISING OUT OF THE MINUTES**
- E) DELEGATION**
- F) BY-LAW**
- G) OLD BUSINESS**
- H) NEW BUSINESS**
 - A. *SUBDIVISION REFERRAL- M Zacharias*..... 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, DECEMBER 12, 2023**

PRESENT

David Janzen	Member
Jason Ruecker	Member
Abram Giesbrecht	Chairperson
Susan Hansen	Member

ABSENT

Danae Walmsley	Deputy Chairperson
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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 9:02 a.m.

**ACCEPTANCE OF
AGENDA**

M59-23 (12-12-23)

RESOLUTION by Member Janzen to adopt the agenda governing the December 12, 2023, Municipal Planning Commission Meeting, as presented. CARRIED.

**APPROVAL OF
MINUTES**

Previous
Organizational
Meeting Minutes
M60-23 (12-12-23)

RESOLUTION by Member Ruecker to adopt the minutes of the November 28, 2023, Municipal Planning Commission Organizational Meeting, as presented. CARRIED.

Previous Regular
Meeting Minutes
M61-23 (12-12-23)

RESOLUTION by Member Hansen to adopt the minutes of the November 28, 2023, Municipal Planning Commission Meeting, as presented. CARRIED.

NEW BUSINESS
Subdivision Referral
C Klassen

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.

M62-23 (12-12-23)

RESOLUTION by Chair Giesbrecht that the Municipal Planning Commission recommend Mackenzie Municipal Services Agency approve the farmstead separation from Cornelius Klassen on

Clear Hills County

Request For Decision (RFD)

Meeting:	Municipal Planning Commission Meeting
Meeting Date:	January 23, 2024
Originated By:	Shelby Janzen, Corporate Services Clerk
Title:	SUBDIVISION REFERRAL – MARGARET ZACHARIAS
File:	61-02-02

DESCRIPTION:

Subdivision referral 23MK032 was received again from Mackenzie Municipal Services Agency regarding the new application for subdividing 9.7 acres (3.9 ha) from an unsubdivided quarter section (NW-1-85-11-W6M) as a farmstead separation.

BACKGROUND:

This proposal was previously brought to MPC in November of 2023, but has since been withdrawn and this new application includes a second mobile home and sewage lagoon which are both to be abandoned or moved.

- Zoning: Agricultural District 1 (AG1)
- Road Access:
 - Existing approach to the balance of the quarter via RGE RD 111
 - Existing approach to proposed subdivision via RGE RD 111
 - The application incorrectly shows the RGE RD is 44
 - The owner of the balance of the quarter is entitled to and could request a second approach as field access.
- Topography: flat
- The proposed lot has a developed farmstead, comprised of two mobile homes, one proposed to be removed or abandoned. The remainder of the lot is partly cleared and partly treed/bushy.
- The quarter is subject to one registered utility right of way caveated by North Peace Gas Co-op.
- Servicing: The proposed lot is serviced with two sewage lagoons, the smaller one to be removed or abandoned. The dugout will be the water source.
- There are 4 sheds and a chicken coop in the southern part of the proposed lot that do not meet the minimum side yard setback requirement of 15.3m from the (newly created) property line and may be accommodated through variance.
- Parcel Size: Proposed parcel size is deemed appropriate for the intended use.

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 side yard setback variance.

Initials show support - Reviewed by: Development Officer: 

Manager: 

RECOMMENDED ACTION:

RESOLUTION BY ...that the Municipal Planning Commission recommend Mackenzie Municipal Services Agency approve the farmstead separation from Margaret Zacharias on NW-1-85-11-W6M (9.7 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 20, 2023
FILE NO.: 23MK032

MUNICIPALITY: Clear Hills County

LEGAL: NW1.85.11.W6M

OWNER: Margaret Zacharias

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
North Peace Gas Co-op
Alberta Transportation and Economic Corridors: Peace Region
Alberta Environment and Protected Areas
Clear Hills County

PLANNING TODAY FOR YOUR COMMUNITY'S TOMORROW

FORM 1
APPLICATION FOR SUBDIVISION

FOR OFFICE USE ONLY	Date of Receipt for Completed Form: November 20, 2023	File No.: 23MK032	Fee Submitted: 725
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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: Margaret Zacharias Address and phone number: Box 100, Cleardale Alberta, T0H 3Y0, 780-685-2343
(Full Name in Block Capitals)

2. Name of agent (person authorized to act on behalf of registered owner), if any: Borderline Survey Ltd / Jason Coates Address and phone number: Box 43, Clairmont, AB, T8X 0T8, 780-538-1955
(Full Name in Block Capitals) Peter Zacharias

3. LEGAL DESCRIPTION AND AREA OF LAND TO BE SUBDIVIDED:
All/part of the NW $\frac{1}{4}$ Sec 1 TWP 85 Range 11 West of 6 Meridian
Being all/parts of Lot _____ Block _____ Registered Plan No. _____ C.O.T. No. 222 023 539+1
Area of the above parcel of land to be subdivided 3.9 hectares 9.7 (acres).
Municipal Address if applicable 850057 Range Road 111

4. LOCATION OF LAND TO BE SUBDIVIDED: Clear Hills County
a. The land is situated in the municipality of _____
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 64 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: Lagoon
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) Trees, Farm yard
c. Describe the kind of soil on the land (sandy, loam, clay, etc) Clay

7. EXISTING BUILDINGS ON THE LAND TO BE SUBDIVIDED See Tentative Plan
Describe any buildings and any structures on the land and whether they are to be demolished or moved _____

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 lagoon, water source is a shared dugout.

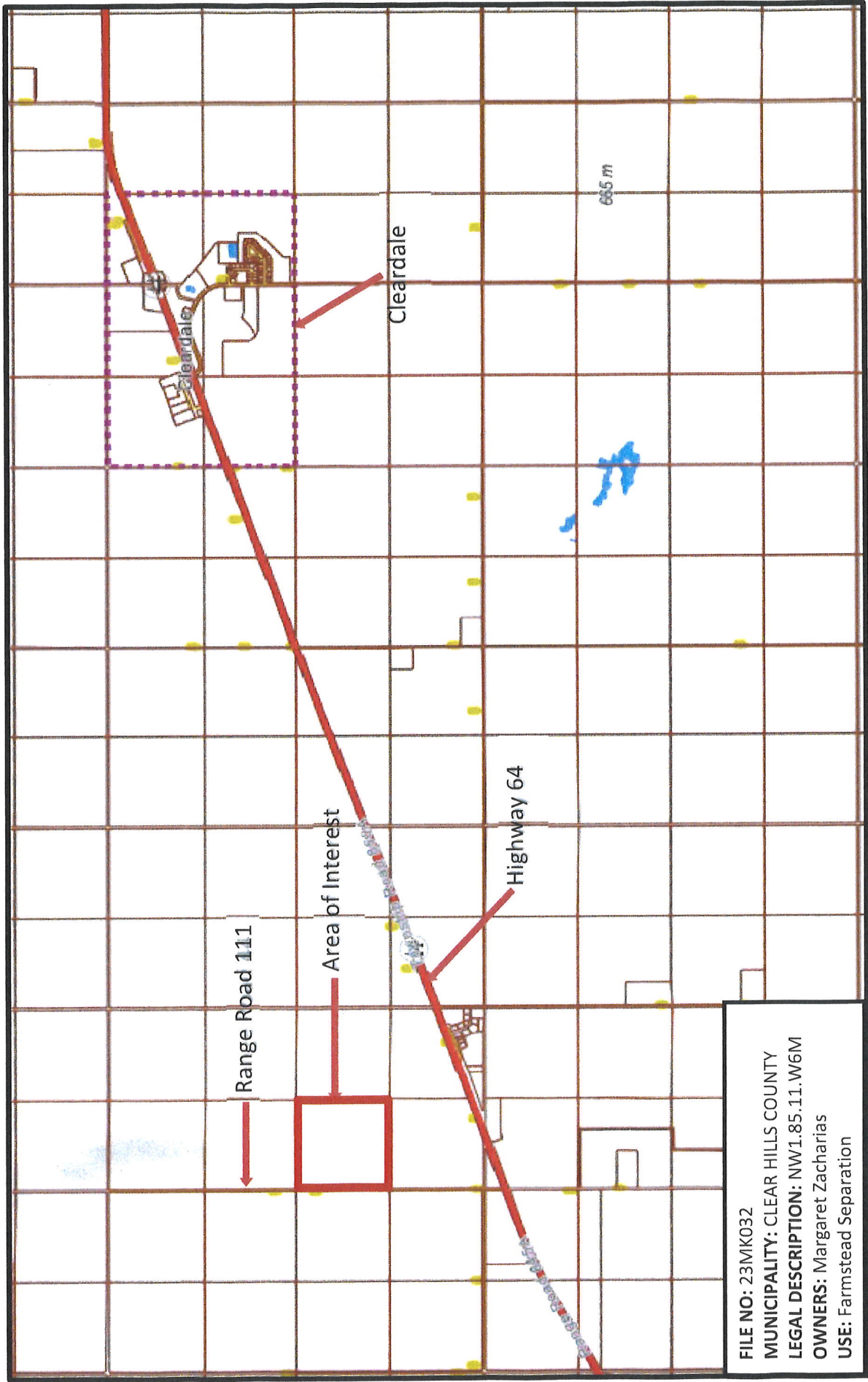
9. REGISTERED OWNER OR PERSON ACTING ON THE REGISTERED OWNER'S BEHALF
I, Borderline Surveys / Jason Coates hereby certify that
(Full Name in Block Capitals)
 I am the registered owner, or
 I am the agent authorized to act on behalf of the registered owner

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: Box 43, Clairmont, AB, T8X 0T8 Signature: Jason Coates
Phone No.: 780-538-1955 Date: Oct 24, 2023

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

Clients have been notified that the second lagoon and second trailer will have to be moved or abandoned. Due to the set backs do not meet County standards. Clients have explained that the second trailer is to be moved and the lagoon is to be abandoned.

LOCATION MAP



TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF

N.W. ¼ Sec. 1, Twp. 85, Rge. 11, W. 6M.

(For Farmyard Separation)

Within

Clear Hills County, Alberta



Schedule of Areas

Contains 1 Lot
Containing 3.33 ha (8.7 Ac.)

Registered Title Encumbrances (Affecting Extent of Title)

922 217 185 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 5th and Oct. 5, 2023.

Legend

- Area Affected by This Plan is Outlined Thus.....
- Reads 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.....
- Holding Tank Shown Thus.....

Land Owner(s)

Margaret Zacharias
C. of T. 222 023 539 *1

Site Information

Address: 85067-RR111

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
PERMIT NUMBER
P 298
BORDERLINE SURVEYS LTD.

PREPARED BY
Jason Coates, A.L.S.

Revision Table

No.	Revision Type	Drafted	Chkd	Surveyed	Date
0	Original	DN	MM	JC	June 7, 2023
1	Revised Shape and Size	MM	JC	JC	Dec. 16, 2023
Client File No.: N/A					
File No.: 230067T					
Job No.: 230067T					
Sheet: 1 of 4					
Revision:					

TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF

N.W. ¼ Sec. 1, Twp. 85, Rge. 11, W. 6M.

(For Farmyard Separation)

Within

Clear Hills County, Alberta



SCALE 1:1,500

Notes

- The house is served by a septic lagoon.
- Water source is a shared dugout.
- Some buildings may have been erected and others moved since the date of this photo.
- 2nd Mobile home and lagoon to be removed.
- Water source to be covered by proposed easement.
- Variance requested for sheds along south boundary of proposed lot.
- Water source for balance of quarter is dugout located within proposed lot.

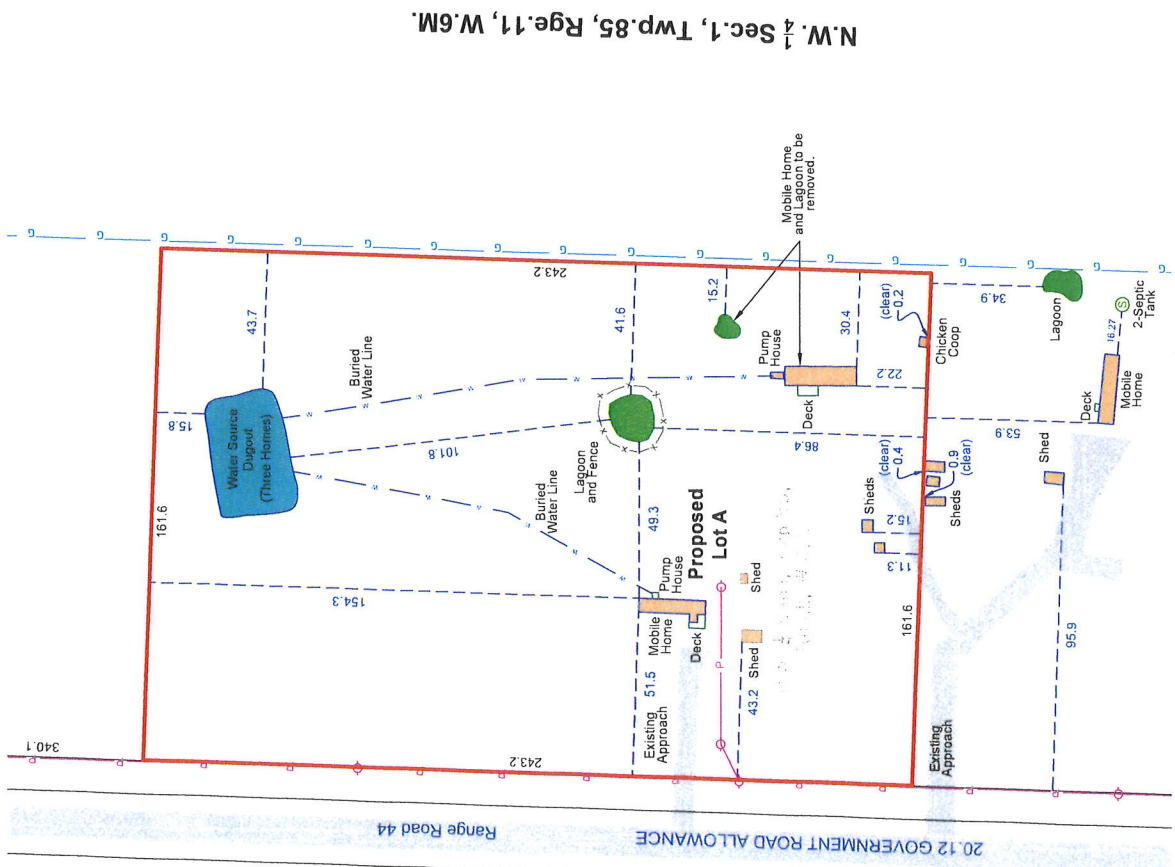


BORDERLINE SURVEYS

#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 Type		Chk'd		Survised		Date
No.	Original	DN	MM	JC	JC	June 7, 2023
1	Revised Shape and Size	MM	JC	JC	JC	Dec. 18, 2023
Client File No: N/A						
File No: 230087T						
Job No: 230087						
Sheet: 2 of 4						
Revision: 1						



N.E. ¼ Sec. 2, Twp. 85, Rge. 11, W. 6M.

N.W. ¼ Sec. 1, Twp. 85, Rge. 11, W. 6M.

TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF

N.W. ¼ Sec. 1, Twp. 85, Rge. 11, W. 6M.
(For Farmyard Separation)

Within
Clear Hills County, Alberta



Blended Drone Image and Photo is current Bing Imagery

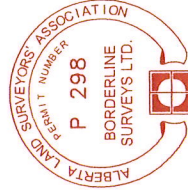


SCALE 1:5000



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PREPARED BY
Jason Coates, A.L.S.

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1	Revised Shape and Size	MM	JC	JC	Dec. 18, 2023
Client File No: N/A					
File No: 230087T				Job No: 230087	Sheet: 3 of 4
					Revision: 1

TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF

N.W. ¼ Sec. 1, Twp. 85, Rge. 11, W. 6M.
(For Farmyard Separation)

Within
Clear Hills County, Alberta



Photo is 2023-06-01 Drone Imagery



SCALE 1:1,500

BORDERLINE SURVEYS

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



PREPARED BY
Jason Creates, A.L.S.

Revision Table		Date	Checked	Surveyed
No.	Revision Type	By	By	Date
0	Original	JWC	JWC	June 7, 2023
1	Revised Shape and Size	JWC	JWC	Dec. 18, 2023
Client File No: N/A				
File No: 230087T				Job No: 230087
Sheet: 4 of 4				Revision: 1

**MACKENZIE MUNICIPAL SERVICES AGENCY
SUBDIVISION COMMENTS**

MUNICIPALITY:	<u>Clear Hills County</u>	DATE RECEIVED:	<u>November 1, 2023</u>
FILE:	<u>23MK032</u>	DEEMED COMPLETE ON:	<u>November 20, 2023</u>
LEGAL:	<u>NW1.85.11.W6M</u>	EXPIRY DATE:	<u>January 19, 2024</u>
		TIME EXTENSION:	<u>March 3, 2024</u>
APPLICANT/AGENT:	<u>Borderline Surveys Ltd</u>		

PROPOSAL: The proposal is to subdivide 9.7 acres from an unsubdivided quarter section to accommodate a farmstead separation.

ACREAGE IN TITLE: 157.94 acres

RESERVE REQUIREMENT: Not required

PROXIMITY TO URBAN MUNIC: Approximately 3.62 miles southwest of Cleardale.

PREVIOUS APPLICATIONS: N/A

SITE CHARACTERISTICS

C.L.I.: 85% 4s5w, 15% 7t6t

TOPOGRAPHY: The topography of the land is described as flat.

EXISTING USE/DEVELOPMENT: The proposed lot contains a developed farmstead, comprised of two manufactured homes with deck, sheds, a chicken coop, dugout and two sewer lagoons, with associated servicing. The remainder of the lot is partly cleared and partly treed/bushy. The balance of quarter section contains a manufactured home, sheds, two septic tanks and sewer lagoon. The quarter section is subject to a utility right of way caveated by North Peace Gas Co-op.

ROAD ACCESS: There is an existing approach to the proposed lot via Range Road 111 to the west. The balance of the quarter section also has an existing approach via Range Road 111 to the west, south of the proposed lot.

SERVICING: The proposed lot is serviced with two sewer lagoons for onsite sewage treatment and disposal. The larger lagoon meets current regulations. The smaller lagoon, on the other hand, does not meet current setback requirements, and is proposed to be removed. The dugout located at the northern portion of the proposed lot serves as the source of water supply. The same dugout is also proposed to be used as the water source for the manufactured home located on the balance. Such arrangement may be allowed, where the balance cannot obtain an alternative water source, subject to a shared agreement. In this circumstance, however, MMSA is of the opinion that the property on the balance should be able, and required, to obtain its own water source. This must be a condition of approval.

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

LEGISLATION

LAND USE BYLAW: The proposed subdivision is located within the Agricultural District – 1 (AG-1). The parcel size for a farmstead separation is a minimum of 3 acres and a maximum of 10 acres, in the AG-1 District. The proposed parcel size, thus, meets the minimum parcel size requirement. Most of the existing developments on the lot also meet the setback requirements of the Land Use Bylaw. However, the smaller lagoon does not meet the minimum setback of 30m from the east property line and 45m setback from the second manufactured home at the southeast, both of which have been proposed to be removed from the lot. Four of the sheds and chicken coop located close to the southern lot line of the proposed subdivision also do not meet the minimum side yard setback requirement of 15.2m from the (newly created) property line. These structures may either be required to be relocated to meet the setback requirement or accommodated through variance.

MUNICIPAL DEVELOPMENT PLAN: May be allowed.

INTERMUNICIPAL DEV. PLAN: N/A

MATTERS RELATED TO SUBDIVISION AND DEVELOPMENT REGULATION: Section 7(6)(c) and (d) apply. Application will be referred to Alberta Transportation and Economic corridors, and 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).