

AGENDA
CLEAR HILLS COUNTY
MUNICIPAL PLANNING COMMISSION MEETING

February 13, 2024

The regular meeting of the Municipal Planning Commission for the Clear Hills County will be held on Tuesday, February 13, 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 February 13, 2024* 1
- C) ADOPTION OF THE PREVIOUS MINUTES**
 - A. REGULAR MEETING of January 23, 2024* 2
- D) BUSINESS ARISING OUT OF THE MINUTES**
- E) DELEGATION**
- F) BY-LAW**
- G) OLD BUSINESS**
- H) NEW BUSINESS**
 - A. SUBDIVISION REFERRAL- I & M Peters* 4
 - B. DEVELOPMENT PERMIT- ATCO Electric* 13
- 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, JANUARY 23, 2024**

PRESENT

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

ABSENT

David Janzen	Member
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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 9:00 a.m.

**ACCEPTANCE OF
AGENDA**

M01-24 (01-23-24)

RESOLUTION by Member Hansen to adopt the agenda governing the January 23, 2024, Municipal Planning Commission Meeting, as presented. CARRIED.

**APPROVAL OF
MINUTES**

Previous Regular
Meeting Minutes

M02-24 (01-23-24)

RESOLUTION by Member Ruecker to adopt the minutes of the December 12, 2023, Municipal Planning Commission Meeting, as presented. CARRIED.

NEW BUSINESS

Subdivision Referral
M Zacharias

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.

M03-24 (01-23-24)

RESOLUTION by Chair Giesbrecht 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), with a side yard setback variance, 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.**

MUNICIPAL PLANNING COMMISSION
TUESDAY, JANUARY 23, 2024

Page 2 of 2

ADJOURNMENT

Chair Giesbrecht adjourned the January 23, 2024, Municipal Planning Commission Meeting at 9:10 a.m.

DATE

CHAIRPERSON

DATE

CHIEF ADMINISTRATIVE OFFICER

Clear Hills County

Request For Decision (RFD)

Meeting:	Municipal Planning Commission Meeting
Meeting Date:	February 13, 2024
Originated By:	Shelby Janzen, Corporate Services Clerk
Title:	SUBDIVISION REFERRAL – ISAAC & MARTHA PETERS
File:	61-02-02

DESCRIPTION:

Subdivision referral 24MK002 was received from Mackenzie Municipal Services Agency regarding the new application for subdividing 12 acres (4.86 ha) from an unsubdivided quarter section (SE-27-84-9-W6M) as a farmstead separation.

BACKGROUND:

- Zoning: Agricultural District 1 (AG1)
- Road Access:
 - There is no alternative approach to the balance of the quarter- can apply for a field approach.
 - Existing approach to proposed subdivision via RGE RD 92
- Topography: mixed
- The proposed lot has a developed farmstead comprised of a house, sheds, granaries, green house, an ATCO trailer, an office, and other outbuildings. The remainder of the lot is pasture.
- The quarter section is subject to one registered utility right of way caveated by North Peace Gas Co-op.
- Servicing: The proposed lot is serviced with a sewage lagoon that does not meet the required Provincial setback regulation of 45 meters from the dwelling. This will have to be addressed unless a variance is granted by the province. The dugout is the water source.
- Parcel Size: Proposed parcel size may be 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.

RECOMMENDED ACTION:

RESOLUTION BY ...that the Municipal Planning Commission recommend Mackenzie Municipal Services Agency approve the farmstead separation from Isaac and Martha Peters on SE-27-84-9-W6M (12 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. Recommend the applicants comply with the provincial regulations by moving the lagoon.

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: February 06, 2024
FILE NO.: 24MK002

MUNICIPALITY: Clear Hills County

LEGAL: SE.27.84.9.W6M

OWNER: Isaac and Martha Peters

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: Peace River Region
ATCO Electric: Attn. Rita Klasson, Land Administration, Edmonton
ATCO Pipeline: HP.Circulations.com
North Peace Gas Co-op
Alberta Environment & Protected Areas
Municipality: 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: _____

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:

Isaac D Peter and Martha Peters

(Full Name in Block Capitals)

Address and phone number:

Box 156, Hines Creek, Alberta, T0H 2A0

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

Jason Coates/Borderline Surveys

(Full Name in Block Capitals)

Address and phone number:

Box 43, Clairmont, AB, T8X 0T8

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

All/part of the SE $\frac{1}{4}$ Sec 27 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 4.86 hectares 12 (acres)

Municipal Address if applicable 844040 Rge Road 92

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 _____ 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) Mixed

b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, etc - sloughs, creeks, etc) brush, trees, cultivation,

c. Describe the kind of soil on the land (sandy, loam, clay, etc) Clay pasture

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

Water is a dugout, Septic is a septic lagoon

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

I, Jason Coates / Borderline Surveys

(Full Name in Block Capitals)

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, Alberta, T8X 0T8

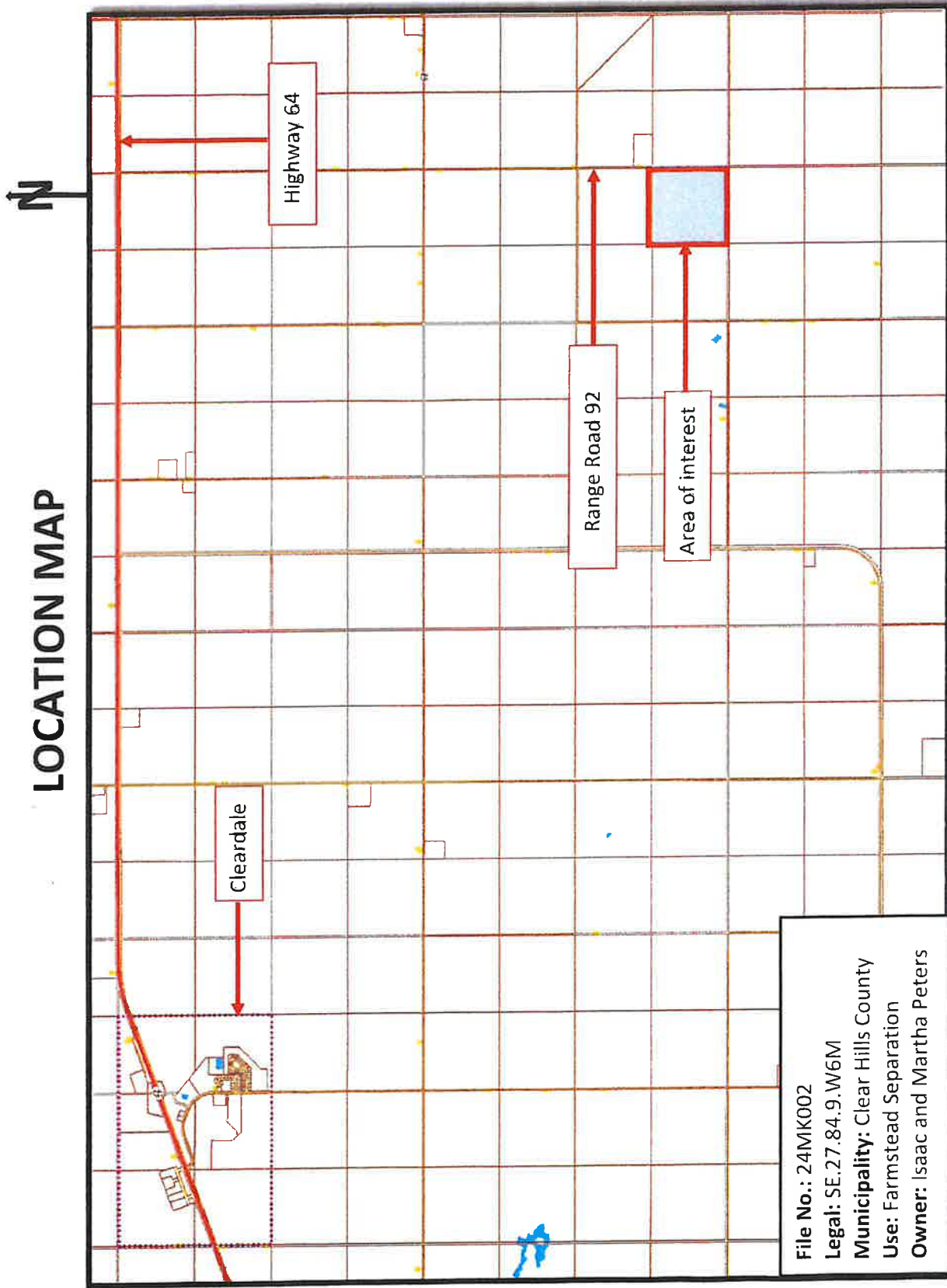
Signature: _____

Phone No: 780-538-1955

Date: Jan 31-2024

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

LOCATION MAP



Within
Clear Hills County, Alberta

Contains 1 Lot
Containing 4.86 ha (12.0 ac.)

922 115 854 URW - North Peace Gas Co-op

• Distances are in Metres and Decimals Thereof
• Plan measurements based from a field inspection conducted on January 18, 2024

Area Affected by This Plan is Outlined Thus
Roads Shown Thus
Overhead Power Shown Thus
Fence Shown Thus

Isaac O Peters
Martha Peters
C o l T 232 221 873

Address 844040 Rge Road 92



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

Revision Table						
No.	Revision Type	Chkd	Drafted	Surveyed	Date	
0	Original	JC	KLM	JC	Jan. 24, 2024	
Client File No: N/A						
File No: 2400005T						
Job No: 2400006						
Sheet: 1 of 1						
<div>0</div>						



SCALE 1:5000

Cultivation

N.E. 1/4 Sec.27, Twp.84, Rge.9, W.6M.

TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF
S.E. 1/4 Sec.27, Twp.84, Rge.9, W.6M.
(For Farmyard Separation)
Within
Clear Hills County, Alberta

Dugout

Calif
Shelter

Steel
Shack

Shed
Atco
Trailer

Shed

2 Granaries

Steel
Shed

Shed

Office

Shelter

Steel
Shed

Greenhouse

House

Proposed
Lot 1

S.E. 1/4 Sec.27,
Twp.84, Rge.9, W.6M.

Feeding
Building

Corral

Lagoon

Pasture

Pasture

S.E. 1/4 Sec.27, Twp.84, Rge.9, W.6M.



Cultivation

Notes

- The house is served by a septic lagoon.
- Water source is the dugout.
- Some buildings may have been erected and others moved since the date of this photo.

**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	Drawn	CHK'd	Surveyed	Date
0	Original	JCM	JC	JC	Jan 24, 2024
Client File No: N/A					
File No: 240006T					
Job No: 240006					
Sheet					2 of 4
Revision					0



SCALE 1:1000

TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF

S.E. 1/4 Sec.27, Twp.84, Rge.9, W.6M.
(For Farmyard Separation)

Within

Clear Hills County, Alberta



Photo is Bing Imagery dated 13 Apr 2010 - 21 Sep 2016



SCALE 1:5000



**BORDERLINE
SURVEYS**

#103-2, 8301 95 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	Chkd	Surveyed	Date
0			KLM	JC	JC	Jan. 24, 2024
Client File No. N/A						
File No. 240005T						
Job No. 240005						
Sheet 3 of 4						
Revision 0						

TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF
S.E. 1/4 Sec.27, Twp.84, Rge.9, W.6M.
 (For Farmyard Separation)
 Within
 Clear Hills County, Alberta



S.E. 1/4 Sec.27, Twp.84, Rge.9, W.6M.

Photo is Bing Imagery dated 13 Apr 2010 - 21 Sep 2016



SCALE 1:1000

BORDERLINE SURVEYS

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

P298
 BORDERLINE SURVEYS LTD.

Revision Table			
No.	Revision Type	Drafted	Surveyed
0	Original	KLM	JC
Client File No: N/A			
File No: 240006T			
Job No: 240006			
Sheet: 4 of 4			
Revision: 0			

PREPARED BY
 Jason Coates A.L.S.

**MACKENZIE MUNICIPAL SERVICES AGENCY
SUBDIVISION COMMENTS**

MUNICIPALITY:	Clear Hills County	DATE RECEIVED:	February 1, 2024
FILE:	24MK002	DEEMED COMPLETE ON:	February 6, 2024
LEGAL:	SE.27.84.9.W6M	EXPIRY DATE:	April 6, 2024
APPLICANT/AGENT:	Borderline Surveys Ltd		

PROPOSAL: The proposal is to subdivide 12 acres from an unsubdivided quarter section to accommodate a farmstead separation.

ACREAGE IN TITLE: 160

RESERVE REQUIREMENT: N/A

PROXIMITY TO URBAN MUNIC: Approximately 3.66 miles southeast of Cleardale (see location map).

PREVIOUS APPLICATIONS: N/A

SITE CHARACTERISTICS

C.L.I.: 75% 4w, 25% 5w

TOPOGRAPHY: The existing topography is described as mixed.

EXISTING USE/DEVELOPMENT: There is a developed farmstead on the proposed lot, comprised of a house, sheds, granaries, dugout, green house, an office, ATCO trailer and other outbuildings, with associated servicing. The remainder of the proposed lot is used as pasture. The balance of the quarter section is partly cultivated, partly used as pasture, and partly covered by Poplar and Spruce. 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 92 to the northeast. Access to the balance of the quarter section will have to be determined.

SERVICING: The proposed lot is serviced with a lagoon for onsite sewage treatment and disposal, which does not meet current setback regulations from the dwelling. There is an existing dugout for water supply located at the northwest corner, which meets current setback regulations.

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. The proposed parcel size of 12 acres may be allowed, considering the nature of the developments onsite. All the existing developments on the lot meet the setback requirements of the Land Use Bylaw, except the lagoon, which does not meet the required provincial setback of 45m from the dwelling. This would have to be addressed, unless variance is granted by the Province.

MUNICIPAL DEVELOPMENT PLAN: May be allowed.

INTER MUNICIPAL DEV. PLAN: N/A

MATTERS RELATED TO SUBDIVISION AND DEVELOPMENT REGULATION: Section 7(6)(c)(m) and (o) applies. Application will be referred to the appropriate agencies for comments.

MUNICIPAL GOVERNMENT ACT: No conflicts.

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

Clear Hills County

Request For Decision (RFD)

Meeting:	Municipal Planning Commission Meeting
Meeting Date:	February 13, 2024
Originated By:	Shelby Janzen, Corporate Services Clerk
Title:	DEVELOPMENT PERMIT APPLICATION – ATCO ELECTRIC LTD
File:	61-02-02

DESCRIPTION:

Development Permit Application W01-24 was received from ATCO Electric Ltd to construct a telecommunications tower and a genset building on NW-5-89-12-W6M.

BACKGROUND:

- Zoning: Crown Land Management (CLM)

ATTACHMENTS:

1. Development Permit Application

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:

RESOLUTION by... That the Municipal Planning Commission approves Development Permit Application W01-24 from ATCO Electric Ltd to construct a telecommunications tower and a genset building on NW-5-89-12-W6M, subject to the following conditions:

1. Minimum setback from the property lines is the height of the tower plus 5 meters.
2. The base of the tower is to be fenced and signed for safety.
3. The site is to be kept weed free.
4. Fee to be paid prior to any development.
5. Site to be operated in compliance with Occupational Health and Safety Regulations.
6. All 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**FORM A**

Page 1

**APPLICATION FOR
DEVELOPMENT PERMIT**

FOR ADMINISTRATIVE USE ONLY

APPLICATION NO.:	W01-24
DATE RECEIVED:	02/08/24
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 ATCO Electric Ltd					NAME OF REGISTERED LAND OWNER			
ADDRESS 10035 105 St. Edmonton AB					ADDRESS			
POSTAL CODE T5J 1C8		EMAIL Jenna.Jewell@atco.com			POSTAL CODE		EMAIL	
CONTACT NUMBERS					CONTACT NUMBERS			
Home					Home			
Business 780 203 6845					Business			
Cell					Cell			
LAND INFORMATION								
Legal description of proposed development site								
QTR/L.S. NW	SEC. 5	TWP. 89	RG. 12	M. 6	OR	REGISTERED PLAN NO.	BLOCK	LOT
Size of the proposed development site:								
LENGTH 27 m		WIDTH 22 m		NUMBER OF HECTARES		OR ACRES 0.146		
ft		ft						
Lot type: INTERIOR CORNER THROUGH					LAND USE DISTRICT:			
Describe the existing use of the land: Existing land is forested area, undeveloped.								

APPLICATION FOR DEVELOPMENT PERMIT

FORM A

Page 2

DEVELOPMENT INFORMATION							
Describe the proposed use of the land: <i>ATCO Electric telecommunication tower site</i>							
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)		<i>Telecom Tower, genset building.</i>					
Indicate the proposed setback from the property line:							
FRONT YARD	m	REAR YARD	m	SIDE YARD (1)	m	SIDE YARD (2)	m
<i>N/A</i>	ft	<i>N/A</i>	ft	<i>N/A</i>	ft	<i>N/A</i>	ft
Off street parking:		Size of space		Number of spaces			
		<i>N/A</i>		<i>N/A</i>			
Off street loading:		Size of space		Number of spaces			
		<i>N/A</i>		<i>N/A</i>			
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		SECONDARY HIGHWAY		RURAL ROAD			
Estimate the Project:							
COMMENCEMENT DATE		COMPLETION DATE		CONSTRUCTION COSTS			
<i>May 2024</i>		<i>December 2024</i>		<i>5,000,000</i>			
Attached is							
(a) SITE PLAN		Yes <input checked="" type="radio"/>		No <input type="radio"/>		N/A <input type="radio"/>	
(b) FLOOR PLAN		Yes <input type="radio"/>		No <input checked="" type="radio"/>		N/A <input type="radio"/>	
DECLARATION							
I/WE hereby declare that the above information is, to the best of my/our knowledge, factual and correct.							
DATE: <i>02/01/2024</i>		SIGNATURE OF APPLICANT: <i>[Signature]</i>					
DATE: <i>02/09/2024</i>		SIGNATURE OF REGISTERED LAND OWNER: <i>[Signature]</i>					

**APPLICATION FOR
DEVELOPMENT PERMIT**

FORM A

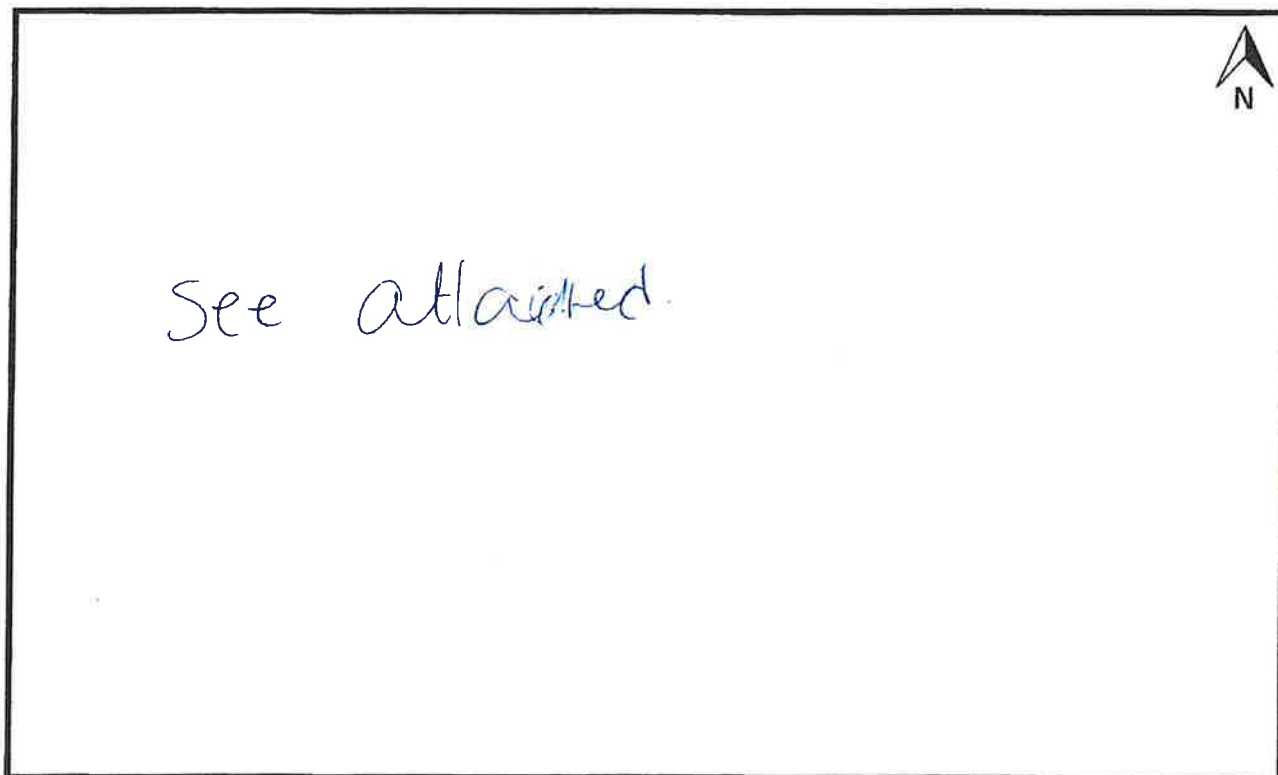
Page 3

SITE MAP

LEGAL LAND DESCRIPTION: _____

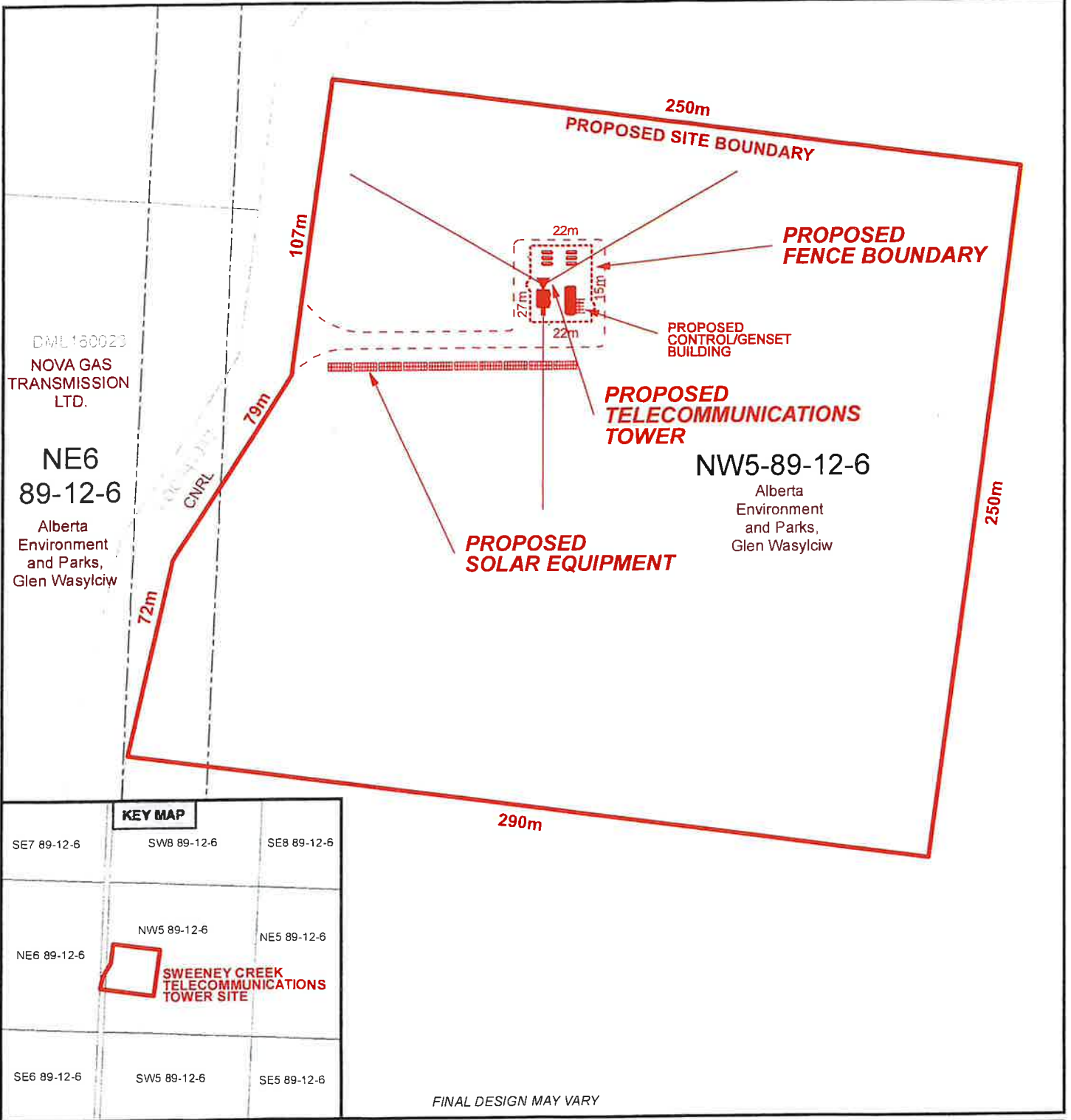
For industrial or commercial development, attach engineered drawings of proposed development.

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

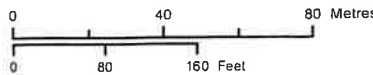


Please indicate the following if they apply to your proposed development:

- ☐ 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



- ▲ Proposed Telecommunications Tower
- - - Proposed Site Access Road Proposed
- Fence Boundary Proposed Site Boundary
- Current Disposition



NOTES:
- Only facilities in the vicinity of the project are shown.

ATCO

Sweeney Creek
Telecommunications Tower Site
Project
PROPOSED SITE PLAN

CREDIT NOTES
Sweeney Creek Telecommunications Tower Site

117
Always practice safe work caution when near power

July 2023

RS-SWEENEY - A - 02

