

AGENDA
CLEAR HILLS COUNTY
MUNICIPAL PLANNING COMMISSION MEETING
August 13, 2024

The regular meeting of the Municipal Planning Commission for the Clear Hills County will be held on Tuesday, August 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 August 13, 2024 1*
- C) ADOPTION OF THE PREVIOUS MINUTES**
 - A. REGULAR MEETING of July 23, 2024 2*
- D) BUSINESS ARISING OUT OF THE MINUTES**
- E) DELEGATION**
- F) BY-LAW**
- G) OLD BUSINESS**
- H) NEW BUSINESS**
 - A. SUBDIVISION REFERRAL – W Driedger 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, JULY 23, 2024**

PRESENT	<p>Susan Hansen Member David Janzen Member Danae Walmsley Deputy Chairperson Abram Giesbrecht Chairperson</p>
ABSENT	<p>Jason Ruecker Member</p>
ATTENDING	<p>Allan Rowe Chief Administrative Officer (CAO) Bonnie Morgan Executive Assistant (EA) Shelby Janzen Corporate Services Clerk (CSC) Kelsey Lund Payroll Clerk (PC)</p>
CALL TO ORDER	<p>Chairperson Giesbrecht called the meeting to order at 9:00 a.m.</p>
<u>ACCEPTANCE OF AGENDA</u>	
M32-24 (07-23-24)	<p>RESOLUTION by Member Hansen to adopt the agenda governing the July 23, 2024, Municipal Planning Commission Meeting, as presented. CARRIED.</p>
<u>APPROVAL OF MINUTES</u> Previous Regular Meeting Minutes	
M33-24 (07-23-24)	<p>RESOLUTION by Deputy Chair Walmsley to adopt the minutes of the June 25, 2024, Municipal Planning Commission Meeting, as presented. CARRIED.</p>
<u>NEW BUSINESS</u> Development Permit Application S Zacharias	<p>Development Permit Application W15-24 was received from Simon Zacharias to develop a second yard site for a 20x76 ft mobile home on NE-12-85-9-W6M.</p>
M34-24 (07-23-24)	<p>RESOLUTION by Member Janzen that the Municipal Planning Commission approves Development Permit Application W15-24 received from Simon Zacharias to develop a second yard site for a 20x76 ft mobile home on NE-12-85-9-W6M, subject to the following conditions:</p>

1. **Developer to obtain a roadside development permit from Alberta Transportation.**
2. **Prior to construction, any outstanding property taxes to be paid in full on the land proposed to be developed.**
3. **Minimum setbacks from property lines:**
 - a. **Front yard, 40.8 m (134 ft)**
 - b. **Side yard, 15.2 m (50 ft)**
 - c. **Rear yard, 15.2 m (50 ft)**
4. **Water supply setbacks:**
 - a. **Cistern**
 - i. **Minimum distance from road right-of-way (front yard) 40.8 m (134 ft)**
 - ii. **Minimum distance from other property lines (side and rear yards) 15.24 m (50 ft)**
5. **Sewage setbacks:**
 - a. **Septic tank**
 - i. **Minimum distance from dwelling and property line 1 m (3.25 ft)**
 - ii. **9.14 m (30 ft) from water source/course**
 - b. **Effluent discharge**
 - i. **Minimum distance from property line 91.4 m (300 ft)**
 - ii. **Minimum distance from dwelling 45.72 m (150 ft)**
 - iii. **Minimum distance from a water source 45.72 m (150 ft)**
6. **All sewage disposal systems 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 and code standards as set by Human Resources and Alberta Safety Codes Council.**
8. **All required County Land Use Bylaw and Provincial/Federal Regulations be adhered to. CARRIED.**

ADJOURNMENT

Chairperson Giesbrecht adjourned the July 23, 2024, Municipal Planning Commission Meeting at 9:04 a.m.

DATE

CHAIRPERSON

DATE

CHIEF ADMINISTRATIVE OFFICER

Clear Hills County

Request For Decision (RFD)

Meeting:	Municipal Planning Commission Meeting
Meeting Date:	August 13, 2024
Originated By:	Shelby Janzen, Corporate Services Clerk
Title:	SUBDIVISION REFERRAL – WILLIE DRIEDGER
File:	61-02-02

DESCRIPTION:

Subdivision referral 24MK025 was received from the Mackenzie Municipal Services Agency to subdivide 10 acres (4.05 ha) off a previously subdivided lot (lot 1 block 1 plan 0928286) as an agricultural subdivision for a donation storage building.

BACKGROUND:

- The proposal was approved as a support in principle.
- Zoning: Agricultural District 1 (AG1)
- Road Access:
 - There is no current approach to the proposed lot.
 - Alberta Transportation previously denied the application to build an approach off HWY 64 due to being too close to the existing approach just to the west. An easement agreement may be considered.
- Topography: Flat
- Servicing:
 - The proposed lot is intended to be serviced with a cistern and hauling for the water source and a septic system for sewage disposal.
- Parcel Size: Proposed parcel may be deemed appropriate for the intended use.

ATTACHMENTS:

- Subdivision Application
- Maps indicating the location of the proposed lot.

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 agricultural separation of Lot 1 Block 1 Plan 0928286 (10 acres) for William Driedger, 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.

Initials show support - Reviewed by: Development Officer: 	Manager: 
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2. All required County, Provincial and Federal Regulations to be adhered to.
3. Upon refusal from Alberta Transportation and Economic Corridors, an access easement agreement may be considered in lieu of a separate approach via the existing access to the balance.

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: August 7, 2024
FILE NO.: 24MK025

MUNICIPALITY: Clear Hills County

LEGAL: Lot 1 Block 1 Plan 0928286

OWNERS: William and Justina Driedger

PROPOSED LAND USE: Agriculture (Storage Building)

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: Komiete Tetteh
Telus: Grande Prairie
ATCO Electric: Attn. Rita Klasson, Land Administration, Edmonton
ATCO Pipeline: HP.Circulations.com
Gas Co-op: North Peace Gas Co-op Ltd.
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: <u>June 20, 2024</u>	File No: <u>24MK025</u>	Fee Submitted: <u>\$725.00</u>
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THIS FORM IS TO BE COMPLETED IN FULL WHEREVER 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: William and Justina Driedger Address and phone number: Box 87, Cleardale, T0H 3Y0
(Full Name in Block Capitals)

2. Name of agent (person authorized to act on behalf of registered owner), if any: Borderline Surveys/Jason Coates Address and phone number: Box 43, Clairmont, Alberta, T8X 0T8
(Full Name in Block Capitals)

3. LEGAL DESCRIPTION AND AREA OF LAND TO BE SUBDIVIDED:
 All/part of the SE $\frac{1}{4}$ Sec 9 TWP 85 Range 10 West of 6 Meridian
 Being all/parts of Lot _____ Block _____ Registered Plan No. _____ C.O.T. No. 232 275 602+1
 Area of the above parcel of land to be subdivided 4.05 hectares 10 (acres).
 Municipal Address if applicable N/A

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 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 _____ 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) Clear
 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
Bare land, plotted proposed buildings on tentative plan

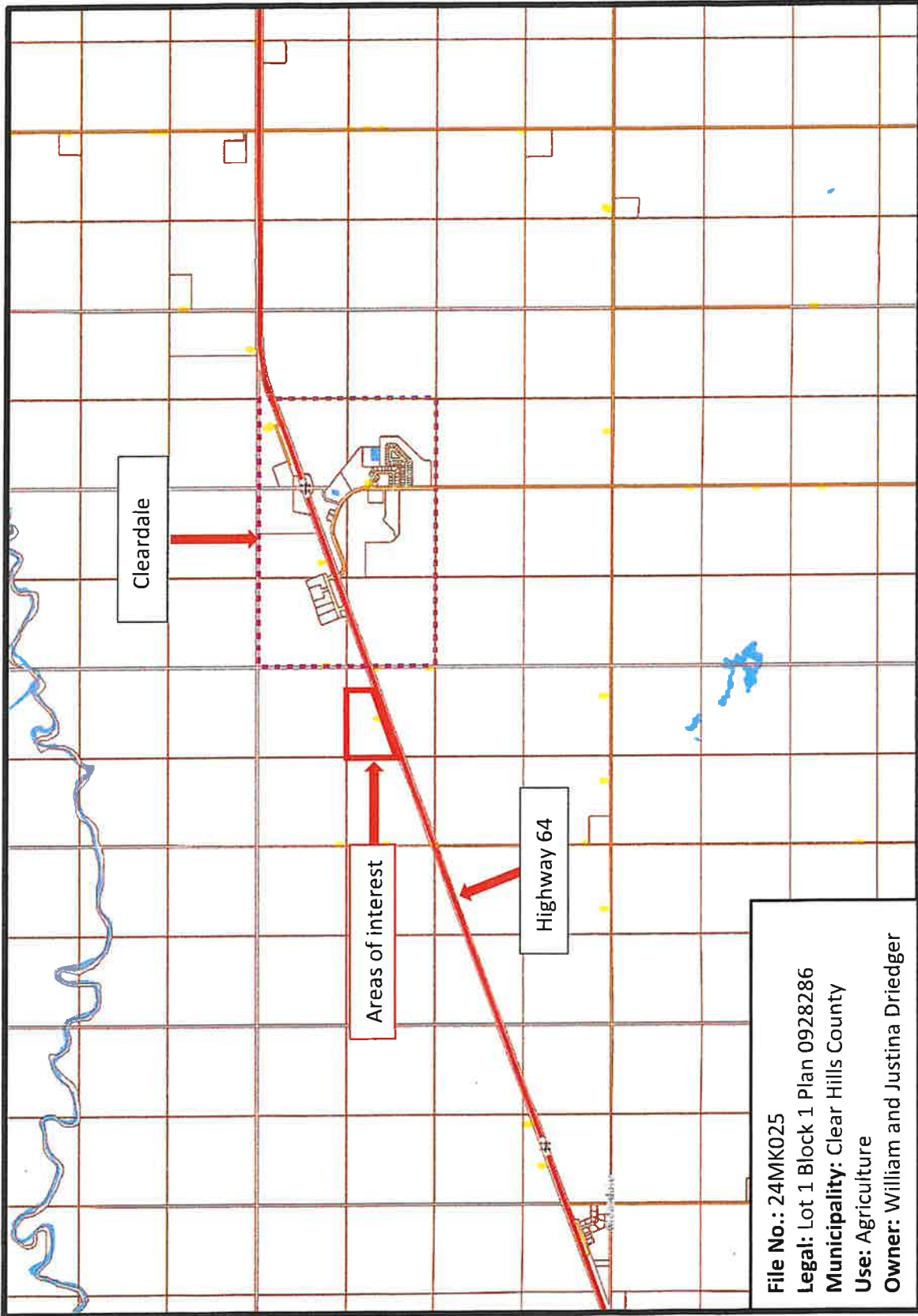
8. WATER AND SEWER SERVICES
 If the proposed subdivision is to be served by other than a water distribution system and a wastewater collection system, describe the manner of providing water and sewage disposal.
no yard site,

9. REGISTERED OWNER OR PERSON ACTING ON THE REGISTERED OWNER'S BEHALF
 I, Jason Coates / Borderline Surveys 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: June 19-2024

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

LOCATION MAP



TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF
 Lot 1, Block 1, Descriptive Plan 092 8286

Within

S.E. ¼ Sec.9, Twp.85, Rge.10, W.6M.

(For New Parcel)

Within

Clear Hills County, Alberta

Schedule of Area(s)

Contains 1 Lot
 Containing 4.05 ha (10.00 ac.)

Registered Title Encumbrances (Affecting Extent of Title)

022 371 888 Caveat - Right of Way Agreement - ATCO Electric Ltd.
 122 288 213 Utility Right of Way - North Peace Gas Co-operative Ltd.

Notes

- Distances are in Metres and Decimals Thereof.
- Plan measurements based from a field inspection conducted on May 27, 2024.

Legend

- Area Affected by This Plan is Outlined Thus
- Roads Shown Thus
- Overhead Power Shown Thus
- Fence Shown Thus
- Gate Post Shown Thus
- Power Poles & Anchor Shown Thus
- Water Well/Cistern Shown Thus
- Septic Tank Shown Thus
- Septic Discharge Shown Thus
- o/gp

Land Owner(s)

William Dredger
 Justina Dredger
 C of T. 232 276 602 +1

Site Information

Address

BORDERLINE SURVEYS

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

ALBERTA LAND SURVEYORS' ASSOCIATION
 P298
 BORDERLINE SURVEYS LTD.

PREPARED BY
 Jason Coales, A.L.S.



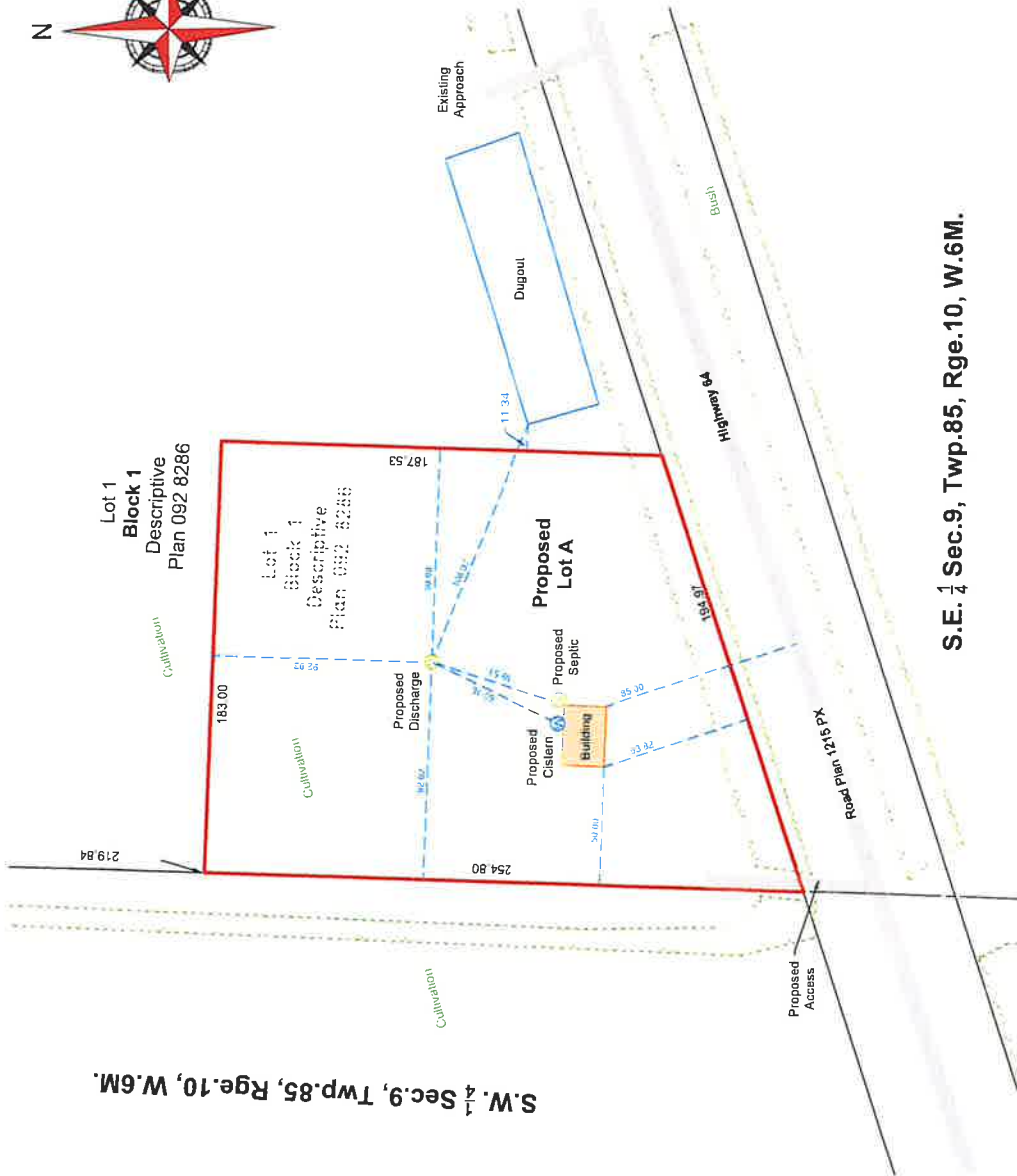
SCALE 1:5000

Revision Table	
No.	Revision Type
0	Original
1	ASB
2	LB/JC
3	JC
4	Date
	June 18, 2024

Client File No.: N/A
 File No.: 2400051T
 Job No.: 240095
 Sheet: 1 of 4
 Revision: 0

TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF
 Lot 1, Block 1, Descriptive Plan 092 8286
 Within
 S.E. ¼ Sec. 9, Twp. 85, Rge. 10, W. 6M.
 (For New Parcel)
 Within
 Clear Hills County, Alberta



S.E. ¼ Sec. 9, Twp. 85, Rge. 10, W. 6M.



SCALE 1:2000

- Notes**
- There are no buildings or improvements within the new lot.
 - Water source is a proposed cistern.
 - Some buildings may have been erected and others moved since the date of this photo.

BORDERLINE SURVEYS
 #103-2, 6301 99 Street
 Claiborne, 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	Chk'd	Date
0	Original	ASB	June 18, 2024
		LBI/JC	JC
Client File No. N/A			
File No. 240095T			
Job No. 240095			Sheet: 2 of 4
			Revision: 0

TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF
 Lot 1, Block 1, Descriptive Plan 092 8286
 Within
 S.E. 1/4 Sec. 9, Twp. 85, Rge. 10, W. 6M.

(For New Parcel)
 Within
 Clear Hills County, Alberta



Photo is current Bing Image dated Sept 2016



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
0	Original	ASB	LBJ/C	JC	June 18, 2024
Client File No: N/A					
File No: 240095T					
Job No: 240095					
Sheet: 3 of 4					
					Revision
					0

TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION OF
 Lot 1, Block 1, Descriptive Plan 092 8286
 Within
 S.E. ¼ Sec.9, Twp.85, Rge.10, W.6M.
 (For New Parcel)
 Within
 Clear Hills County, Alberta



Photo is current Bing Image dated Sept 2016

BORDERLINE SURVEYS

#103-2, 6301 99 Street
 Clairmont, Alberta T8X 5B1
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Revision Table		No.	Revision Type	Drafted	Chk'd	Surveyed	Date
0	Original		ASB	LB/JC	JC		June 18, 2024
Client File No. N/A		Job No. 240095		Sheet: 4 of 4		Revision: 0	

**MACKENZIE MUNICIPAL SERVICES AGENCY
SUBDIVISION COMMENTS**

MUNICIPALITY: Clear Hills County DATE RECEIVED: June 20, 2024
FILE: 24MK025 DEEMED COMPLETE ON: July 10, 2024
LEGAL: Lot 1 Block 1 Plan 0928286 EXPIRY DATE: September 8, 2024
APPLICANT/AGENT: Borderline Surveys Ltd

PROPOSAL: The proposal is to subdivide 10 acres from Lot 1 Block 1 Plan 0928286 within SE-9-85-10-W6 to accommodate a storage building for a humanitarian use.

ACREAGE IN TITLE: 65 acres

RESERVE REQUIREMENT: Municipal Reserve may be required, either in the form of land or money in lieu.

PROXIMITY TO URBAN MUNIC: Approximately 0.13 miles west of Cleardale (see location map).

PREVIOUS APPLICATIONS: Yes

SITE CHARACTERISTICS

C.L.I.: 90% 4s5w, 10% 5w

TOPOGRAPHY: The existing topography is described as flat.

EXISTING USE/DEVELOPMENT: The proposed lot, according to the tentative plan, has no improvements onsite and is largely cultivated. The balance of the parcel is also cultivated, but contains a dugout and residence (summer cottage). Besides the subject parcel that is proposed to be subdivided, there are two other lots located on the quarter section: one is located south of Highway 64 and the other is located east of Lot 1 Block 1 Plan 0928286. The parcel is subject to several registered instruments, including utility right of ways.

ROAD ACCESS: Legal access to the proposed lot could be gained via Highway 64 to the south. However, an approach that meets the standards of the County is required to provide physical access to the proposed lot. There is an existing approach to the balance of the lot via Highway 64 to the south. If Transportation and Economic Corridors refuses to approve the proposed access to the subdivision via Highway 64 to the south, as shown on the tentative plan, then an access easement agreement may be considered in lieu of a separate approach via the existing access to the balance.

SERVICING: The proposed lot is proposed to be serviced with cistern and hauling for water supply and an open discharge septic system for sewage disposal. The tentative plan indicates that the location of the proposed sewer system will meet current Provincial setback regulations at the time of development.

PARCEL SIZE: The proposed parcel size of 10 acres may be deemed appropriate for the intended use.

LEGISLATION

LAND USE BYLAW: The proposed subdivision is located within the Agriculture District-1 (AG-1). The parcel size for non-residential uses within the AG-1 District is at the discretion of the Development Authority. The proposed 10 acre lot is intended to accommodate a storage building related to a philanthropical cause. The proposed lot could be approved as an agricultural subdivision, which would support the proposed use. Approving it as an agricultural subdivision would also not contradict the parcel density regulations in the AG-1 District, which, for non-residential uses, is at the discretion of the Development Authority. Any future development on the land must, however, comply with the Land Use Bylaw.

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) apply. Application will be referred to Transportation and Economic Corridors, as well as the appropriate utility companies, for comments.

MUNICIPAL GOVERNMENT ACT: No conflicts.

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