

Agenda
Municipal District of Pincher Creek No. 9
Subdivision Authority
October 7, 2014
6:00 pm

- 1. Adoption of Agenda**
- 2. Adoption of Minutes of Special Meeting September 2, 2014..... Pkg 1**
- 3. In Camera**
- 4. Unfinished Business**
- 5. Subdivision Applications**
 - a) SE 21-4-29 W4M
Brenda Cofell
Subdivision Application No. 2014-0-121 Pkg 2
 - b) NE 23-6-1 W5M
William and Elizabeth Smith
Subdivision Application No. 2014-0-133 Pkg 3
- 6. New Business**
- 7. Next Regular Meeting November 4, 2014; 6:00 pm**
- 8. Adjournment**

**Special Meeting Minutes of the Subdivision Authority
Tuesday, September 2, 2014; 4:30 pm
M.D. of Pincher Creek No. 9 Council Chambers**

IN ATTENDANCE

Members: Reeve Brian Hammond, Councillors Fred Schoening, Terry Yagos, Garry Marchuk and Grant McNab

Staff: Chief Administrative Officer Wendy Kay, Director of Development and Community Services Roland Milligan, Planning Advisor Gavin Scott, and Executive Assistant Tara Cryderman

COMMENCEMENT

Reeve Brian Hammond called the meeting to order at 4:30 pm.

1. ADOPTION OF AGENDA

Councillor Fred Schoening 14/015

Moved that the September 2, 2014, Subdivision Authority Agenda be approved as presented.

Carried

2. ADOPTION OF MINUTES

Councillor Garry Marchuk 14/016

Moved that the May 6, 2014 Subdivision Authority Minutes be amended, the amendment as follows:

Councillor Marchuk was present at the meeting;

And that the minutes be approved as amended.

Carried

3. IN CAMERA

Councillor Terry Yagos 14/017

Moved that the Subdivision Authority and staff move In-Camera, the time being 4:31 pm.

Carried

Councillor Terry Yagos 14/018

Moved that the Subdivision Authority and staff move out of In-Camera, the time being 5:04 pm.

Carried

MINUTES
SUBDIVISION AUTHORITY
Municipal District of Pincher Creek No. 9
September 2, 2014

4. UNFINISHED BUSINESS

- a) Subdivision Application No. 2013-0-129**
Lot 1, Block 1, Plan 0312304; NW 19-7-1 W5M
Agnes Thibert

Councillor Terry Yagos

14/019

Moved that the Agriculture subdivision of Lot 1, Block 1, Plan 0312304 within NW 19-7-1 W5M (Certificate of Title No. 121 305 638), to create a 2.90 acre (1.19 ha) parcel from a title (in 2 parts fragmented by a municipal road allowance) of 161.88 acres (65.51 ha) for agricultural purposes; BE APPROVED subject to the following:

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Pincher Creek No. 9.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Pincher Creek No. 9 which shall be registered concurrently with the final plan against the title(s) being created.
3. That the closed road allowance described in Bylaw 1243-13 be consolidated with the adjacent portion of the Lot 1, Block 1, Plan 0312304 (C of T 121 305 638) in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.

Carried

5. SUBDIVISION APPLICATION

- a) Subdivision Application No. 2014-0-086**
E ½ 3-6-29 W4M
Cheryl Varley

Councillor Fred Schoening

14/020

Moved that the Country Residential subdivision of E ½ 3-6-29 W4M (Certificate of Title No. 021 334 398), to create a 12.60 acre (5.10 ha) parcel from a previously unsubdivided quarter section of 160 acres (64.7 ha) for country residential use, BE APPROVED subject to the following:

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Pincher Creek No. 9.

MINUTES
SUBDIVISION AUTHORITY
Municipal District of Pincher Creek No. 9
September 2, 2014

2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Pincher Creek No. 9 which shall be registered concurrently with the final plan against the title(s) being created.
3. That the 15m easement(s) as required by Fortis shall be established prior to finalization of the application.

Carried

**b) Subdivision Application No. 2014-0-092
SW 35-5-2 W5M
Margaret Schacht**

Councillor Garry Marchuk

14/021

Moved that the Country Residential subdivision of SW 35-5-2 W5M (Certificat of Title No. 931 298 740), to create a 7.27 acres (2.94 ha) parcel from a 23.25 acres (9.41 ha) for country residential use, BE APPROVED subject to the following:

RESERVE:

The 10% reserve requirement, pursuant to Sections 666 and 667 of the *Municipal Government Act*, be provided as money in place of land on the 7.27 acres at the market value of \$2,000 per acre with the actual acreage and amount to be paid to the MD of Pincher Creek be determined at the final stage, for Municipal Reserve Purposes.

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Pincher Creek No. 9.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Pincher Creek No. 9 which shall be registered concurrently with the final plan against the title(s) being created.

Carried

MINUTES
SUBDIVISION AUTHORITY
Municipal District of Pincher Creek No. 9
September 2, 2014

**c) Subdivision Application No. 2014-0-113
SW 14-6-1 W5M
Zoratti Ranches Ltd.**

Councillor Garry Marchuk

14/022

Moved that the Country Residential subdivision of SW 14-6-1 W5M (Certificate of Title No. 121 123 640+3), to create a 4.9 acre (1.98 ha) parcel from a previously unsubdivided quarter section of 158.6 acres (64.2 ha) for country residential use, BE APPROVED subject to the following:

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Pincher Creek No. 9.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Pincher Creek No. 9 which shall be registered concurrently with the final plan against the title(s) being created.

Carried

6. FIRST PARCEL OUT OF QUARTER SECTION

Discussion occurred regarding anomalies to policies with regards to “First Parcel Out” of quarter sections; specifically with regards to urban entity encroachment into quarter sections.

7. NEW BUSINESS

8. NEXT MEETING – Tuesday, October 7, 2014; 6:00 pm.

9. ADJOURNMENT

Councillor Terry Yagos

14/023

Moved that the meeting adjourn, the time being 5:38 pm.

Carried

Brian Hammond, Chair
Subdivision Authority

Wendy Kay, Secretary
Subdivision Authority



DRAFT RESOLUTION

Our File: 2014-0-121

September 30, 2014

Wendy Kay
Chief Administrative Officer
M.D. of Pincher Creek No. 9
P.O. Box 279
Pincher Creek AB T0K 1W0

Dear Ms. Kay:

RE: SE1/4 21-4-29-W4M / M.D. of Pincher Creek No. 9

With regard to the subdivision application noted above, please find attached a draft resolution for your Municipality's decision.

The Subdivision & Development Authority should note that comments have not been received from the Livingstone Range School Division, AltaLink, AB Health Services, AB Agriculture, and AESRD – K. Murphy & C. Wojtowicz.

After the Subdivision Approval Authority's consideration of the application, **please forward the signed resolution to the Oldman River Regional Services Commission at your earliest convenience in order for our staff to promptly notify the applicant of the decision.**

Please contact this office if you require any further information.

Gavin Scott
Planner

GS/gk
Attachment

RESOLUTION

2014-0-121

M.D. of Pincher Creek No. 9 Country Residential subdivision of SE1/4 21-4-29-W4M

THAT the Country Residential subdivision of SE1/4 21-4-29-W4M (Certificate of Title No. 021 179 459+1), to create a 9.52 acre (3.85 ha) parcel from a previously unsubdivided quarter section of 160 acres (64.7 ha) for country residential use; BE APPROVED subject to the following:

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Pincher Creek No. 9.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Pincher Creek No. 9 which shall be registered concurrently with the final plan against the title(s) being created.
3. That the 15m easement(s) as required by Fortis shall be established prior to finalization of the application.
4. That any conditions of TELUS shall be met prior to finalization of the subdivision.
5. That an easement for legal access across proposed 9.52 acre parcel to the benefit of SE21 4-29 W4M shall be provided before final approval of the subdivision with a copy of the signed easement agreement being submitted to the Subdivision Authority.

REASONS:

1. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
2. The proposed subdivision with waiver complies with both the Municipal Development Plan and Land Use Bylaw.
3. The proposed subdivision with waiver complies with the M.D. of Pincher Creek subdivision policy R.11.

INFORMATIVE:

- (a) Since the proposed subdivision complies with Section 663(a) of the Municipal Government Act, Reserve is not required.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Sustainable Resource Development, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) In accordance with the Subdivision and Development Regulation, a lawful means of access to the quarter is presently granted from a registered easement (921010506) across the adjacent quarter section (SW21 4-29 W4M) to the west which connects to a developed municipal road allowance.
- (e) The MD of Pincher Creek Director of Operations advises that the parcel being created does not have access to the MD's road system. The driveway to the west crosses over a neighbor's property.

- (f) TELUS Communications has concerns with the proposed subdivision. TELUS has existing cable facilities at the proposed subdivision location. Existing TELUS facilities must be located. If facilities cross new property lines then easements are required or cables to be moved at the owners cost.
- (g) FortisAlberta Inc. is the Distribution Wire Service Provider for this area. The Developer must arrange installation of electrical services for this subdivision with FortisAlberta. Please contact FortisAlberta Inc. @ 310-WIRE (310-9473) to make application for your electrical services.

“Easement Required (easement to be granted for \$1.00). Developer must contact FortisAlberta Inc. a minimum of 6 weeks in advance of required system changes to determine easement requirements. Alteration to existing FortisAlberta Inc. facilities to accommodate the development will be at the developers expense. The developer is typically responsible to electrically pre-service the lots.

The proposed subdivision creates an encroachment even if no new services or system changes are needed; therefore, the requirement for an easement to FortisAlberta Inc. is a mandatory requirement of the subdivision approval.

Please direct any additional questions or concerns to landserv@fortisalberta.com

- (h) AltaGas Utilities has no objection to the proposed subdivision.

Please notify Alberta 1st Call at 1-800-242-3447 to arrange for “field locating” should excavations be required within the described area.

We wish to advise that any relocation of existing facilities will be at the expense of the developer and payment of contributions required for new gas facilities will be the responsibility of the developer.

- (i) Alberta Energy Regulator (AER) comments are **attached**.

CHAIRMAN

DATE

2014-0-121

Calgary Head Office
Suite 1000, 250 – 5 Street SW
Calgary, Alberta T2P 0R4
Canada

www.aer.ca

File No. 2008

Setback Referral Reply for Nonrequired Proposed Subdivision/Development Application Referrals

The Alberta Energy Regulator (AER) has reviewed your subdivision or development application referral (setback referral) and it does not meet the criteria for submitting a setback referral for one or more of the following reasons:

- the subdivision or development application does not include a permanent dwelling, business or public facility and/or
- no sour gas facilities are located within proximity of the proposed location as defined by the AER's land use description criteria

Refer to the *AER Bulletin 2013-03 Mandated Subdivision and Development Application Referrals, Setback Relaxations, Land Development Information Package, and Abandoned Well Information* to

- clarify the AER's setback referral process,
- determine whether a setback referral to the AER is required,
- prepare and submit a setback referral, and
- obtain further information on oil and gas facilities and other AER setback-related processes.

Questions are to be directed to the EPA Helpline at EPAShelpline@acr.ca or 403-297-2625.

Sincerely,



Michelle van der Leer
Emergency Preparedness and Audit Section
Emergency Management Group

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: September 10, 2014

Date of Receipt: September 3, 2014

TO: Landowner: Brenda Cofell

Agent or Surveyor:

Referral Agencies: M.D. of Pincher Creek No. 9, Garry Marchuk, Livingstone Range School Division, TELUS, FortisAlberta, AltaLink, Alta-Gas, AB Health Services, AB Agriculture, AESRD - K. Murphy & C. Wojtowicz, Historical Resources Administrator, AER, Shell Canada Limited, Twin Butte Energy Ltd.

Adjacent Landowners: David Keeley, Roy Stoddard, Nomad Explorations Ltd., Pennine Petroleum Corp., John & Valerie Marr, Donna Bowersock, Clayton Peters, Twin Butte Energy Ltd.

Planning Advisor: Gavin Scott

The Oldman River Regional Services Commission (ORRSC) is in receipt of the following subdivision application which is being processed on behalf of the M.D. of Pincher Creek No. 9. In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email, fax or mail no later than **September 29, 2014**. (Please quote our File No. **2014-0-121** in any correspondence with this office).

File No.: 2014-0-121

Legal Description: SE1/4 21-4-29-W4M

Municipality: M.D. of Pincher Creek No. 9

Land Designation: Agriculture - A
(Zoning)

Existing Use: Agricultural

Proposed Use: Country Residential

of Lots Created: 1

Certificate of Title: 021 179 459+1

Meeting Date: October 7, 2014

Note that meeting dates are subject to change. It is advisable to contact the M.D. of Pincher Creek No. 9 three (3) days prior to the meeting for times and to confirm that this application is on the agenda.

Planner's Preliminary Comments:

The purpose of this application is to create a 9.52 acre (3.85 ha) parcel from a previously unsubdivided quarter section of 160 acres (64.7 ha) for country residential use.

The proposal is to accommodate the subdivision of an existing farmyard, which presently contains a dwelling (plus a historic dwelling to be demolished), garage, shop, and number of other out-buildings. Access to the quarter is presently granted from a registered easement (921010506) across the adjacent quarter section to the west which connects to a developed municipal road allowance. The existing residence is serviced by a septic system and on-site domestic well.

The proposal is adjacent to the Drywood Creek a tributary to the Waterton Reservoir and Oldman River watershed.

This proposal complies with the subdivision criteria of the MD of Pincher Creek's Municipal Development Plan and Land Use Bylaw. The Subdivision Authority is hereby requested to consider the following when rendering a decision on this application:

1. Any outstanding property taxes shall be paid to the MD of Pincher Creek.
2. The applicant or owner or both enter into a Development Agreement with the MD.
3. Provision of a surveyors sketch to illustrate lot dimensions and improvements on site.
4. Consideration of adjacent landowners and referral agencies comments.
5. That any easement(s) as required by utility companies or the municipality shall be established prior to finalization of the application.
6. That an easement for legal access across proposed 9.52 acre parcel to the benefit of SE21 4-29 W4M shall be provided before final approval of the subdivision with a copy of the signed easement agreement being submitted to the Subdivision Authority.
7. That, any conditions of Alberta Culture, Historical Resources, shall be met prior to finalization.

RESERVE:

- Municipal Reserve is not applicable pursuant to Section 663(a) of the MGA, as it is the first parcel from the quarter section.

Submissions received become part of the subdivision file which is available to the applicant and will be considered by the subdivision authority at a public meeting.



**APPLICATION FOR SUBDIVISION
RURAL MUNICIPALITY**

FOR OFFICE USE ONLY		
Zoning (as classified under the Land Use Bylaw):		
Fee Submitted: <u>925.00</u>	File No: <u>2014-0-121</u>	
APPLICATION SUBMISSION		
Date of Receipt:	Date Deemed Complete: <u>Sept 3/14</u>	Accepted By:

1. CONTACT INFORMATION

Name of Agent (Person Authorized to act on behalf of Registered Owner): _____
 Mailing Address: _____ Postal Code: _____
 Telephone: _____ Cell: _____ Fax: _____
 Email: _____
 Name of Registered Owner of Land to be Subdivided: Brenda Cofell
 Mailing Address: Box 70 Pincher Creek Postal Code: T0K 1W0
 Telephone: 403-627-2585 Cell: 403-627-6997 Fax: _____
 Email: brenda.cofell@gmail.com

2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

a. All/part of the SE ¼ Section 21 Township 4 Range 29 West of 4 Meridian (e.g. SE¼ 36-1-36-W4M)
 b. Being all/part of: Lot/Unit _____ Block _____ Plan _____
 c. Total area of existing parcel of land (to be subdivided) is: _____ hectares 10 acres
 d. Total number of lots to be created: 1 Size of Lot(s): _____
 e. Rural Address (if applicable): _____
 f. Certificate of Title No.(s): 021 179 459 + 1

3. LOCATION OF LAND TO BE SUBDIVIDED

a. The land is located in the municipality of Pincher Creek
 b. Is the land situated immediately adjacent to the municipal boundary? Yes No
 If "yes", the adjoining municipality is _____
 c. Is the land situated within 0.8 kilometres (½ mile) of the right-of-way of a highway? Yes No
 If "yes" the highway 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 canal or drainage ditch? Yes No
 If "yes", state its name Dry wood Creek
 e. Is the proposed parcel within 1.5 kilometres (0.93 miles) of a sour gas facility? Yes No

4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED

Describe:

a. Existing use of the land home + out buildings - some pasture
 b. Proposed use of the land home + private use

5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED

- 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, sloughs, creeks, etc.)
brush, tree stands, creek
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) co bble
- d. Is this a vacant parcel (void of any buildings or structures)? Yes No

If "no", describe all buildings and any structures on the land. Indicate whether any are to be demolished or moved.

- 2 houses - house on the west to be demolished, ^{at BC} granaries, granaries, Woodworking Shop, garage
- e. Is there a Confined Feeding Operation on the land or within 0.8 kilometres (½ mile) of the land being subdivided? Yes No
 - f. Are there any active oil or gas wells or pipelines on the land? Yes No
 - g. Are there any abandoned oil or gas wells or pipelines on the land? Yes No

6. WATER SERVICES

Describe:

- a. Existing source of water Spring north of the house
- b. Proposed source of water Spring north of the house

7. SEWER SERVICES

Describe:

- a. Existing sewage disposal Septic tank and field
- b. Proposed sewage disposal septic tank and field

8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF

I Brenda Cofell hereby certify that

- I am the registered owner I am authorized to act on behalf of the register owner

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval.

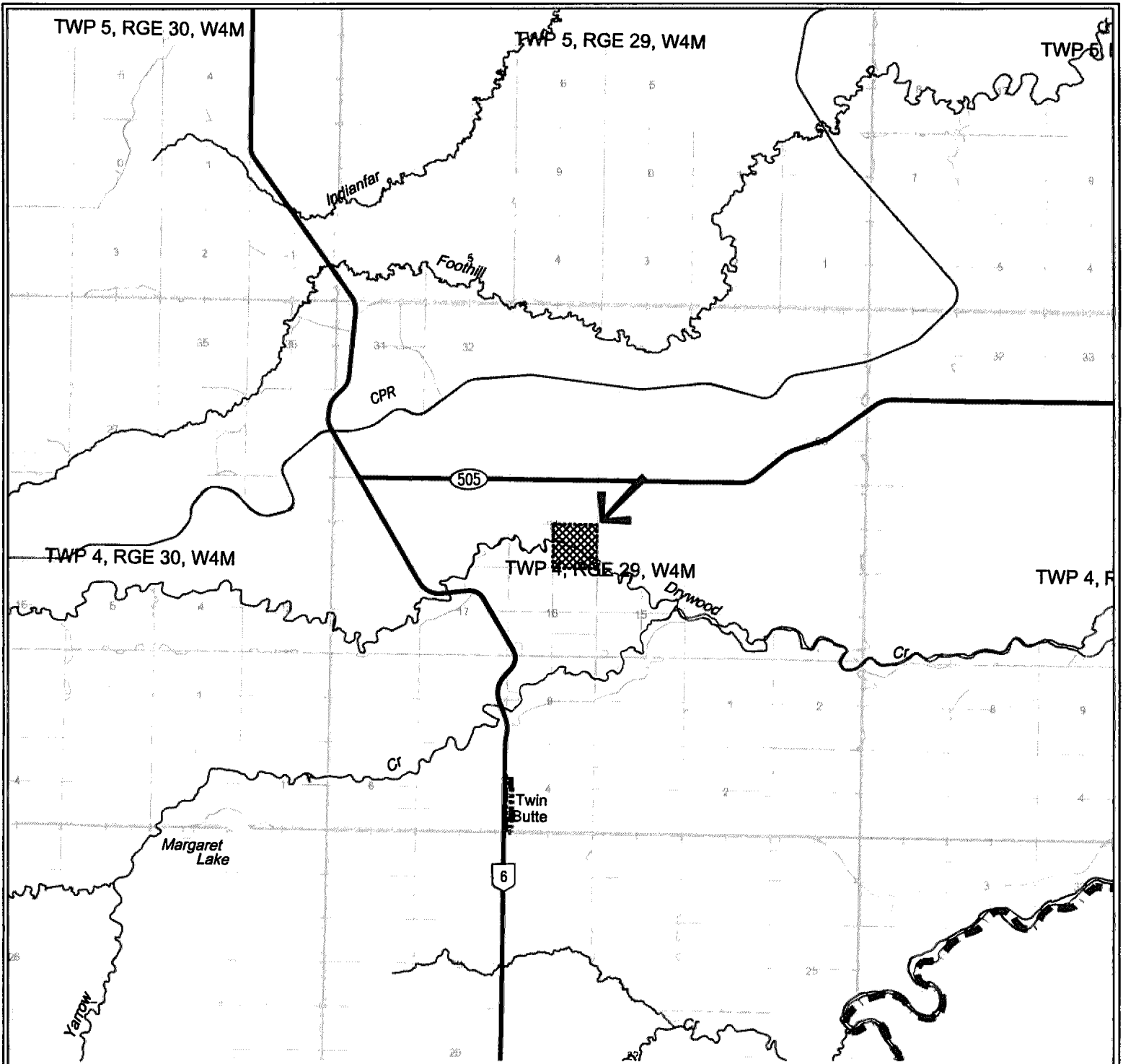
Signed: Brenda Cofell Date: _____

9. RIGHT OF ENTRY

I Brenda Cofell hereby authorize representatives of the Oldman River Regional Service Commission or the municipality to enter my land for the purpose of conducting a site inspection in connection with my application for subdivision.

This right is granted pursuant to Section 653(2) of the Municipal Government Act.

Brenda Cofell
Signature of Registered Owner



SUBDIVISION LOCATION SKETCH

SE 1/4 SEC 21, TWP 4, RGE 29, W 4 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: SEPTEMBER 3, 2014

FILE No: 2014-0-121

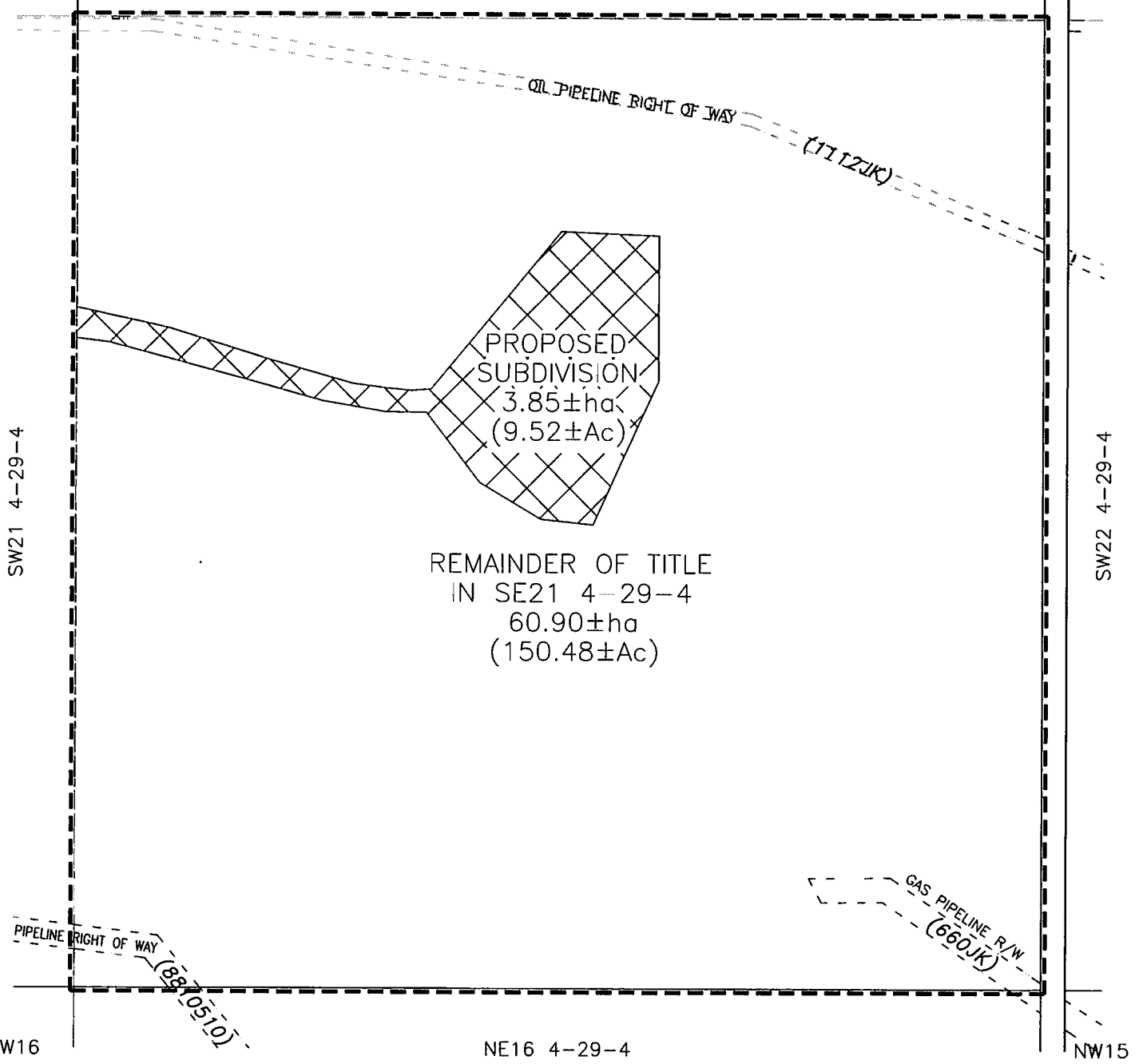
MAP PREPARED BY:
 OLDMAN RIVER REGIONAL SERVICES COMMISSION
 2900 98th AVENUE NORTH, LETHBRIDGE, AB T1V 2E5
 NOT RESPONSIBLE FOR ERRORS OR OMISSIONS



NW21

NE21 4-29-4

NW22



SUBDIVISION SKETCH

SE 1/4 SEC 21, TWP 4, RGE 29, W 4 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: SEPTEMBER 3, 2014

FILE No: 2014-0-121



0 100 200 300 400
Metres

September 03, 2014 N:\Subdivision\2014\2014-0-121.dwg





SUBDIVISION SKETCH
SE 1/4 SEC 21, TWP 4, RGE 29, W 4 M
MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
DATE: SEPTEMBER 3, 2014
FILE No: 2014-0-121



AERIAL PHOTO DATE: 2012
September 04, 2014
N:\Subdivision\2014\2014-0-121.dwg



3105 - 16th Avenue North
Lethbridge, Alberta **Package #3**

Phone: (403) 329-1344
Toll-Free: 1-877-329-1387
Fax: (403) 327-6847
E-mail: subdivision@orrsc.com
Website: www.orrsc.com

DRAFT RESOLUTION

Our File: 2014-0-133

September 30, 2014

Wendy Kay
Chief Administrative Officer
M.D. of Pincher Creek No. 9
P.O. Box 279
Pincher Creek AB T0K 1W0

Dear Ms. Kay:


RE: NE1/4 23-6-1-W5M / M.D. of Pincher Creek No. 9

With regard to the subdivision application noted above, please find attached a draft resolution for your Municipality's decision.

The Subdivision & Development Authority should note that comments have not been received from the Livingstone Range School Division, TELUS, FortisAlberta, AltaLink, AB Health Services, AB Agriculture, and AESRD – K. Murphy, AER, Plains Midstream, P. Creek Water Co-operative, AB Ethane Dev. Co., and TransAlta Energy Co.

After the Subdivision Approval Authority's consideration of the application, **please forward the signed resolution to the Oldman River Regional Services Commission at your earliest convenience in order for our staff to promptly notify the applicant of the decision.**

Please contact this office if you require any further information.



Gavin Scott
Planner

GS/gk
Attachment

RESOLUTION

2014-0-133

M.D. of Pincher Creek No. 9 Country Residential subdivision of NE1/4 23-6-1-W5M

THAT the Country Residential subdivision of NE1/4 23-6-1-W5M (Certificate of Title No. 961 082 417), to create a 9.6 acre (3.87 ha) parcel from a previously unsubdivided quarter section of 160 acres (64.7 ha) for country residential use; BE APPROVED subject to the following:

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Pincher Creek No. 9.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Pincher Creek No. 9 which shall be registered concurrently with the final plan against the title(s) being created.
3. That the proposed parcel be reduced in size eliminating those portions of the parcel currently under agricultural production (approximately 2.29 acres on the southerly boundary).
4. That the applicant removes the encroachment of the barn that is located over the proposed new westerly property line, or that an encroachment agreement is established in accordance with Section 72 of the Land titles Act (RSA 2000).

REASONS:

1. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
2. The proposed subdivision with waiver complies with both the Municipal Development Plan and Land Use Bylaw.
3. The proposed subdivision with waiver complies with the M.D. of Pincher Creek subdivision policy R.11.

INFORMATIVE:

- (a) Since the proposed subdivision complies with Section 663(a) of the Municipal Government Act, Reserve is not required.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Sustainable Resource Development, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) The M.D. of Pincher Creek Emergency Services have no issues with this subdivision.
- (e) The M.D. of Pincher Creek Director of Operations has no concerns with this subdivision.
- (f) TELUS Communications has no objection to the proposed subdivision. Provisioning of telephone service for the proposed subdivision will be considered upon application of same.

- (g) FortisAlberta Inc. has no objection/no easement required.

FortisAlberta Inc. is the Distribution Wire Service Provider for this area. The Developer must arrange installation of electrical services for this subdivision with FortisAlberta. Please contact FortisAlberta Inc. @ 310-WIRE (310-9473) to make application for your electrical services.

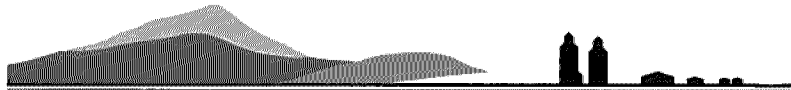
Please direct any additional questions or concerns to landserv@fortisalberta.com

- (h) AltaGas Utilities has no objection to the proposed subdivision. Please notify Alberta 1st Call at 1-800-242-3447 to arrange for "field locating" should excavations be required within the described area.

Any relocation of existing facilities will be at the expense of the developer and payment of contributions required for new gas facilities will be the responsibility of the developer.

CHAIRMAN

DATE



OLDMAN RIVER REGIONAL SERVICES COMMISSION

3105 - 16th Avenue North
Lethbridge, Alberta T1H 5E8

Phone: (403) 329-1344
Toll-Free: 1-877-329-1387
Fax: (403) 327-6847
E-mail: subdivision@orrsc.com
Website: www.orrsc.com

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: September 17, 2014

Date of Receipt: September 15, 2014

TO: Landowner: William & Elizabeth Smith

Agent or Surveyor: David J. Amantea, A.L.S.

Referral Agencies: M.D. of Pincher Creek No. 9, Garry Marchuk, Livingstone Range School Division, TELUS, FortisAlberta, AltaLink, Alta-Gas, AB Health Services, AB Agriculture, AB Environment, AER, Plains Midstream, Pincher Creek Water Co-op, AB Ethane Dev. Co., TransAlta Energy Corp.

Adjacent Landowners: Timothy Clinton, Zoratti Ranches Ltd., Joseph Svab, Douglas & Leona McClelland, Hutterian Br of Pincher Creek, Plains Midstream

Planning Advisor: Gavin Scott

The Oldman River Regional Services Commission (ORRSC) is in receipt of the following subdivision application which is being processed on behalf of the M.D. of Pincher Creek No. 9. In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email, fax or mail no later than **October 6, 2014**. (Please quote our File No. 2014-0-133 in any correspondence with this office).

File No.: 2014-0-133

Legal Description: NE1/4 23-6-1-W5M

Municipality: M.D. of Pincher Creek No. 9

Land Designation: Agriculture - A
(Zoning)

Existing Use: Agricultural

Proposed Use: Country Residential

of Lots Created: 1

Certificate of Title: 961 082 417

Meeting Date: October 7, 2014

Note that meeting dates are subject to change. It is advisable to contact the M.D. of Pincher Creek No. 9 three (3) days prior to the meeting for times and to confirm that this application is on the agenda.

Planner's Preliminary Comments:

The purpose of this application is to create a 9.6 acre (3.87 ha) parcel from a previously unsubdivided quarter section of 160 acres (64.7 ha) for country residential use.

The proposal is to accommodate the subdivision of an existing farmyard, which presently contains a dwelling, garage, barn, and number of other out-buildings. Access to the lot is presently granted from an existing approach to the north, off of a developed municipal road allowance. The existing residence is serviced by a septic system and on-site domestic well.

This proposal complies with the subdivision criteria of the MD of Pincher Creek's Municipal Development Plan and Land Use Bylaw. The Subdivision Authority is hereby requested to consider the following when rendering a decision on this application:

1. Any outstanding property taxes shall be paid to the MD of Pincher Creek.
2. The applicant or owner or both enter into a Development Agreement with the MD.
3. Provision of a surveyors sketch to illustrate lot dimensions and improvements on site.
4. Consideration of adjacent landowners and referral agencies comments.
5. That any easement(s) as required by utility companies or the municipality shall be established prior to finalization of the application.
6. That the proposed parcel be reduced in size eliminating those portions of the parcel currently under agricultural production.
7. That the applicant removes the encroachment of the barn that is located over the proposed new westerly property line, or that an encroachment agreement is established in accordance with Section 72 of the Land titles Act (RSA 2000).

RESERVE:

- Municipal Reserve is not applicable pursuant to Section 663(a) of the MGA, as it is the first parcel from the quarter section.

Submissions received become part of the subdivision file which is available to the applicant and will be considered by the subdivision authority at a public meeting.



FOR OFFICE USE ONLY		
Zoning (as classified under the Land Use Bylaw):		
Fee Submitted: 925.00	File No: 2014-0-133	
APPLICATION SUBMISSION		
Date of Receipt:	Date Deemed Complete: Sept 15/14	Accepted By: [Signature]

**APPLICATION FOR SUBDIVISION
RURAL MUNICIPALITY**

1. CONTACT INFORMATION

Name of Agent (Person Authorized to act on behalf of Registered Owner): DAVID J. AMANTEA, ALS
 Mailing Address: brown okamura & associates ltd. BOX 655 LETHBRIDGE AB Postal Code: T1J 3Z4
 Telephone: 403 329-4688 x 29 Cell: _____ Fax: 403 320-9144
 Email: d.amantea@bokamura.com

Name of Registered Owner of Land to be Subdivided: WILLIAM T SMITH & ELIZABETH E SMITH
 Mailing Address: BOX 913 PINCHER CREEK, AB Postal Code: TOK 1W0
 Telephone: _____ Cell: 403-627-7795 Fax: _____
 Email: _____

2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

a. All/part of the NE ¼ Section 23 Township 6 Range 1 West of 5 Meridian (e.g. SE¼ 36-1-36-W4M)
 b. Being all/part of: Lot/Unit _____ Block _____ Plan _____
 c. Total area of existing parcel of land (to be subdivided) is: 3.87 hectares 9.6 acres
 d. Total number of lots to be created: 1 Size of Lot(s): _____
 e. Rural Address (if applicable): _____
 f. Certificate of Title No.(s): 961 082 417

3. LOCATION OF LAND TO BE SUBDIVIDED

a. The land is located in the municipality of PINCHER CREEK

b. Is the land situated immediately adjacent to the municipal boundary? Yes No
 If "yes", the adjoining municipality is _____

c. Is the land situated within 0.8 kilometres (½ mile) of the right-of-way of a highway? Yes No
 If "yes" the highway 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 canal or drainage ditch? Yes No
 If "yes", state its name _____

e. Is the proposed parcel within 1.5 kilometres (0.93 miles) of a sour gas facility? Yes No

4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED

Describe:

a. Existing use of the land FARM YARD

b. Proposed use of the land _____

5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED

- 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, sloughs, creeks, etc.)

- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) _____
- d. Is this a vacant parcel (void of any buildings or structures)? Yes No
If "no", describe all buildings and any structures on the land. Indicate whether any are to be demolished or moved.
SEE SKETCH
- e. Is there a Confined Feeding Operation on the land or within 0.8 kilometres (½ mile) of the land being subdivided? Yes No
- f. Are there any active oil or gas wells or pipelines on the land? Yes No
- g. Are there any abandoned oil or gas wells or pipelines on the land? Yes No

6. WATER SERVICES

Describe:

- a. Existing source of water WELL & CISTERN
- b. Proposed source of water _____

7. SEWER SERVICES

Describe:

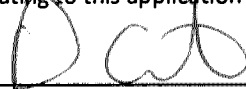
- a. Existing sewage disposal SEPTIC
- b. Proposed sewage disposal _____

8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF

I David J. Amantea, ALS (BOA File No. 14-12382) hereby certify that

- I am the registered owner
- I am authorized to act on behalf of the register owner

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval.

Signed: 

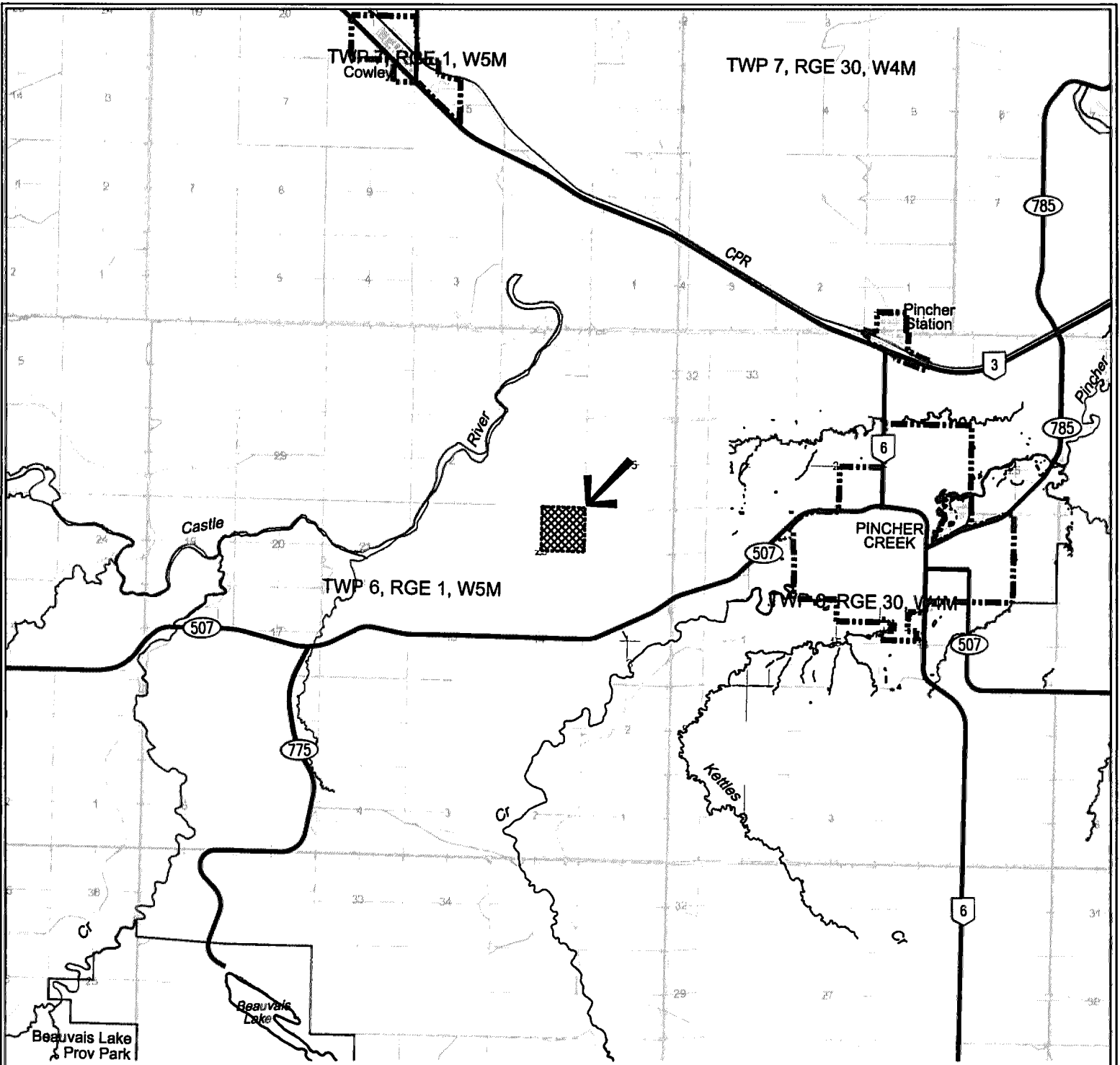
Date: Sept 14/2014

9. RIGHT OF ENTRY

I _____ hereby authorize representatives of the Oldman River Regional Service Commission or the municipality to enter my land for the purpose of conducting a site inspection in connection with my application for subdivision.

This right is granted pursuant to Section 653(2) of the Municipal Government Act.

Signature of Registered Owner



SUBDIVISION LOCATION SKETCH
NE 1/4 SEC 23, TWP 6, RGE 1, W 5 M
MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
DATE: SEPTEMBER 15, 2014
FILE No: 2014-0-133

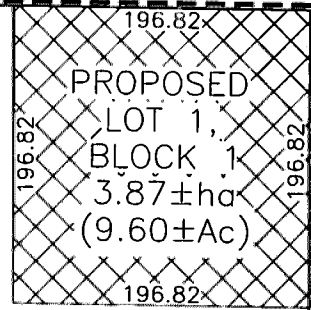
MAP PREPARED BY:
 OLDMAN RIVER REGIONAL SERVICES COMMISSION
 3900 99th AVENUE NORTH, LETHBRIDGE, AB T1Y 0E7
 NOT RESPONSIBLE FOR ERRORS OR OMISSIONS



SW26

SE26 6-1-5

SW25
9810777



NW23 6-1-5

REMAINDER OF TITLE
IN NE23 6-1-5
60.45±ha(149.37±Ac)

NW24 6-1-5

OIL PIPELINE R/W
GAS PIPELINE R/W
PIPELINE R/W

1457.11(N)
(791.0825)
(871.0435)

SW23

SE23 6-1-5

SW24

SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 14-12382T

NE 1/4 SEC 23, TWP 6, RGE 1, W 5 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: SEPTEMBER 15, 2014

FILE No: 2014-0-133





SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 14-12382T

NE 1/4 SEC 23, TWP 6, RGE 1, W 5 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: SEPTEMBER 15, 2014

FILE No: 2014-0-133



OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 100 200 300 400
September 15, 2014 N:\Subdivision\2014\2014-0-133.dwg



AERIAL PHOTO DATE: 2012

S.E.1/4 SEC. 26 - 6 - 1 - 5

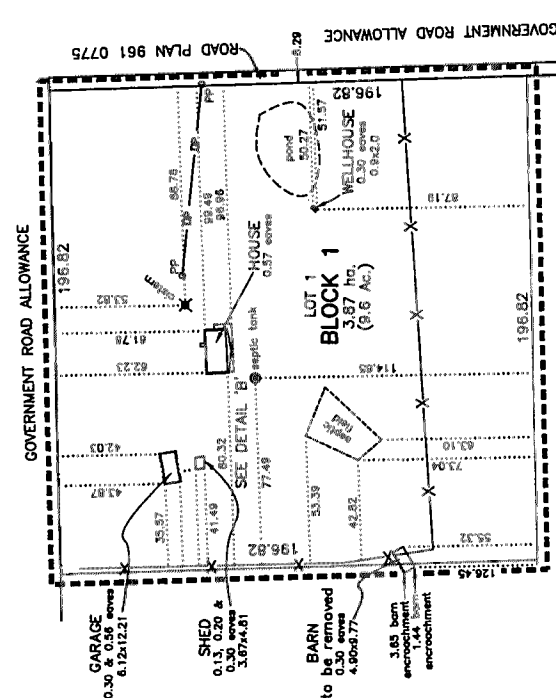
SEE DETAIL 'A'

LOT 1
BLOCK 1
3.87 Ha.
(9.6 Ac.)

N.E.1/4 SEC. 23 - 6 - 1 - 5

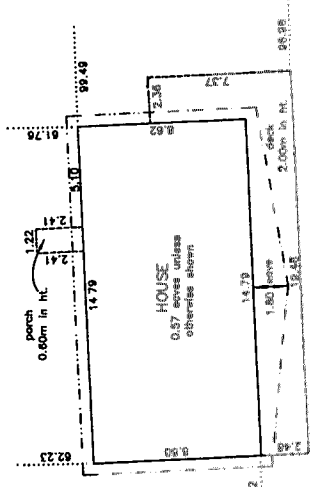
S.E.1/4 SEC. 23 - 6 - 1 - 5

N.W.1/4 SEC. 23 - 6 - 1 - 5



N.E.1/4 SEC. 23 - 6 - 1 - 5

DETAIL 'A'
SCALE: 1:2000



DETAIL 'B'
NOT TO SCALE

WILLIAM T. SMITH

TENTATIVE PLAN SHOWING SUBDIVISION

of part of
N.E.1/4 SEC. 23; TWP. 6; RGE. 1; W.5 M.

MUNICIPAL DISTRICT OF PINCHER CREEK No. 9

bo brown okamura & associates ltd.
Professional Surveyors
514 Stafford Drive, Lethbridge, Alberta

APPROVED	DRAWN	CJB	DATE	JULY 31/14
	CHECKED	DJA	JOB	14-12382
	SCALE	1:5000	DRAWING	14-12382T
D. J. Amantea, A.L.S.				

NO.	REVISION	DATE	BY

Improvements shown were surveyed on July 21st, 2014

NOTE : Portion to be approved is outlined thus **=====**
and contains approximately 3.87 ha.
Distances are in metres and decimal parts thereof.
Distances and areas are approximate and are
subject to change upon final survey.

ROAD PLAN 961 0777

ROAD PLAN 961 0777

ROAD PLAN 961 0775

GOVERNMENT ROAD ALLOWANCE

WELLHOUSE
0.30 acres
0.9x2.0

SEE DETAIL 'A'

SEE DETAIL 'B'

SEE DETAIL 'A'

SEE DETAIL 'B'

SEE DETAIL 'A'

SEE DETAIL 'B'