

**Agenda**  
**Municipal District of Pincher Creek No. 9**  
**Subdivision Authority Meeting**  
**May 5, 2020**  
**6:00 pm**

**1. Adoption of Agenda**

**2. Adoption of Minutes**

- a. Minutes of December 3, 2019

**3. Closed Meeting Session**

**4. Unfinished Business**

**5. Subdivision Application**

- a. Subdivision Application No. 2020-0-044  
Steven John Oczkowski, Rhonda Lee Oczkowski, Carter John Oczkowski  
NW1/4 10-6-2-W5M
  
- b. Subdivision Application No. 2020-0-048  
Sheila Carol Pratchler and Roxann Louise Green  
NE1/4 12-7-3-W5M

**6. New Business**

**7. Next Regular Meeting** June 2, 2020; 6:00 pm

**8. Adjournment**

**Meeting Minutes of the Subdivision Authority  
Tuesday, December 3, 2019 6:00 pm  
MD of Pincher Creek No. 9 Administration Building**

**IN ATTENDANCE**

Members: Reeve Brian Hammond, Quentin Stevick and Terry Yagos

Staff: CAO Troy MacCulloch, Director of Development and Community Services  
Roland Milligan

Planning  
Advisors: Planner Gavin Scott, Assistant Planners Hailey Winder and  
Max Kelly, Financial Services and Planning Clerk Joyce Mackenzie-Grieve

Absent: Councillors Rick Lemire and Bev Everts

**COMMENCEMENT**

Reeve Brian Hammond called the meeting to order, the time being 6:00 p.m.

**1. ADOPTION OF AGENDA**

Councillor Quentin Stevick 19/043

Moved that the Subdivision Authority Agenda for December 3, 2019, be approved as presented.

Carried

**2. ADOPTION OF MINUTES**

Councillor Terry Yagos 19/044

Moved that the November 5, 2019 Subdivision Authority Minutes, be approved as presented.

Carried

**3. CLOSED MEETING SESSION**

Councillor Quentin Stevick 19/045

Moved that the Subdivision Authority close the meeting to the public, under the authority of the *Municipal Government Act* Section 197(2.1), the time being 6:01 p.m.

Carried

Councillor Terry Yagos 19/046

Moved that the Subdivision Authority open the meeting to the public, the time being 6:10 pm.

Carried

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**4. UNFINISHED BUSINESS**

Nil

**5. SUBDIVISION APPLICATIONS**

- a.** Subdivision Application No. 2019-0-152  
Public and Institutional  
Lot 1, Block 8, Plan 1210773 within NW1/4 10-6-2-W5M

Councillor Terry Yagos

19/047

Moved that the Public and Institutional subdivision of Lot 1, Block 8, Plan 1210773 within NW1/4 10-6-2-W5M (Certificate of Title No. 121 078 971), to create a 2.30 acre (0.93 ha) parcel from a 4.42 acre title for public and institutional use; BE APPROVED subject to the following:

**CONDITIONS:**

1. 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.

**REASONS:**

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. 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.
3. The subdivision authority, in considering the written submission from Robert Bronson finds that the concerns are focused on future council decisions, development approvals and related engineering, and are therefore outside the parameters of the subdivision policies pertaining to the proposal.

**INFORMATIVE:**

- (a) Since the proposed subdivision complies with Section 663(d) 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

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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 Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)

- (d) Per amending Bylaw 1267-16, this property is designated Direct Control in the land use bylaw and as such all development approvals will be processed through the MD Council.
- (e) TELUS Communications Inc. has no objections to the above noted circulation.
- (f) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.

Please contact FortisAlberta land services at [landserv@fortisalberta.com](mailto:landserv@fortisalberta.com) or by calling (403) 514-4783 for any questions.

- (g) ATCO Transmission high pressure pipelines has no objections. Questions or concerns can be forwarded to [hp.circulations@atco.com](mailto:hp.circulations@atco.com).

- (h) Alberta Transportation – Leah Olsen, Development/Planning Technologist:

“Reference your file to create a parcel for public and institutional use at the above noted location.

The proposal is contrary to Section 14 and, resultantly by default, subject to the requirements of Section 15(2) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002, consolidated up to 188/2017(“the regulation”).

Alberta Transportation’s primary objective is to allow subdivision and development of properties in a manner that will not compromise the integrity and associated safe operational use or the future expansion of the provincial highway network.

To that end, the parcel to be created and remnant land will gain indirect access to the provincial highway network solely by way of the local road system. Given this, strictly from Alberta Transportation’s point of view, we do not anticipate that the creation of the parcel for public and institutional use as proposed would have any appreciable impact on the highway.

Therefore, pursuant to Section 16 of the regulation, in this instance, Alberta Transportation grants a waiver of said Sections 14 and 15(2).

Notwithstanding the foregoing, the applicant would be advised that any development within the right-of-way or within 300 metres beyond the limit of the highway or within 800 metres from the center point of the intersection of the highway and another highway would require the benefit of a permit from our department. This requirement is outlined in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

The subject property is within the noted control lines; however, given that development setbacks will be maintained by default and all access to the highway is indirect by way of the county’s local road system, in this instance, a permit from Alberta Transportation will not be required, and development of the parcel for public and institutional use could proceed under the direction, control, and management of the Municipal District of Pincher Creek No. 9

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subdivision and development land use authority. The applicant could contact the undersigned, at Lethbridge 403-381-5426, in this regard.

Alberta Transportation accepts no responsibility for the noise impact of highway traffic upon any development or occupants thereof. Noise impact and the need for attenuation should be thoroughly assessed. The applicant is advised that provisions for noise attenuation are the sole responsibility of the developer and should be incorporated as required into the subdivision/development design.

Any peripheral lighting (yard lights/area lighting) that may be considered a distraction to the motoring public or deemed to create a traffic hazard will not be permitted.

Further, should the approval authority receive any appeals in regard to this application and as per Section 678(2.1) of the Municipal Government Act and Section 5(5)(d) of the regulation, Alberta Transportation agrees to waive the referral distance for this particular subdivision application. As far as Alberta Transportation is concerned, an appeal of this subdivision application may be heard by the local Subdivision and Development Appeal Board provided that no other provincial agency is involved in the application.”

(i) Beaver Mines Resident - Robert Bronson:

“I have the following comments regarding the proposed 2.3 acre subdivision:

1) Once again the residents of Beaver Mines are being asked to approve bylaws without understanding what the plans are for the land. The original Dec 2013 bylaw was 4.4 acres *for Fire hall only* turned out to be something quite different. 2.3 acres is still too much land for a fire hall only. The residents along 3rd St require assurances that this land will not be used as a storage site for MD equipment, trailers, gravel etc. Considering the history of poor communications with BM residents, Council needs to ask the Pincher Creek Emergency services to provide a site plan to Beaver Mines residents prior to approval of the subdivision.

2) The fire hall will be located on a side hill with poor access. According to a Beaver Mine resident: 1) the current 5 M R/W roadway will not be adequate for large emergency vehicles to safely exit the site since there is substandard sight distance on the existing vertical curve 2) Proposed water /sewer lines under 3rd street need to be installed lower to allow for future road lowering while maintaining adequate frost cover and 3) The site may need to be expanded or reshaped to allow a possible common access to the metering station site as well as the new fire hall. Please confirm that the location and access issues been completely reviewed to ensure that the location is feasible?

3) It is my understanding that the development application **must** include "major landscaped areas including buffering and screening areas". Rather than wait for development application, Council needs to ensure that the subdivision application includes provision for buffering and screening requirements.

4) It is also my understanding that buffering and screening was to be incorporated in the pathway design. The 2016 Bylaw No. 1220- 11 was clear that a pathway would be included in the final design. The following statements were included in the bylaw:

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- The Municipal District of Pincher Creek No. 9 (the MD), in conjunction with the Beaver Mines Community Association, is proposing to develop a walking path within the Hamlet of Beaver Mines.
- In order to allow for the walking path, a recreational use; a water storage facility, a public utility use; and a fire hall, public and institutional use, any new bylaw must allow for the following uses as defined within the LUB.

Council needs to ensure that the subdivision application includes provision for the pathway requirements.

5) The definition of Public and Institutional uses includes the phrase “and other municipal uses”. I would clearly like to understand what “other municipal uses” include. For example, is a Public Works Building considered “Institutional”. While it is not likely that a bulk water station (standpipe) or any public works building could be built at this site given the side hill location and access (Item 2) and future path (Item 4), I would like to have it clearly stated that a bulk water station (standpipe) cannot be built in a Public and Institutional zone.

Thank you for the opportunity to provide my comments regarding the proposed subdivision.”

Carried

**6. NEW BUSINESS**

Nil

**7. NEXT MEETING** – Tuesday, January 7, 2020; 6:00 pm.

**8. ADJOURNMENT**

Reeve                      Brian Hammond

19/049

Moved that the meeting adjourn, the time being 6:12 pm.

Carried

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Brian Hammond, Chair  
Subdivision Authority

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Roland Milligan, Secretary  
Subdivision Authority

## DRAFT RESOLUTION

Our File: 2020-0-044

April 24, 2020

Troy MacCulloch  
Chief Administrative Officer  
Municipal District of Pincher Creek No. 9  
Box 279  
Pincher Creek Alberta T0K 1W0

Dear Mr. MacCulloch,

**RE: NW1/4 10-6-2-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 Authority should note that comments have not been received from the Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, AB Environment & Parks - J. Wu, Historical Resources Administrator, AER, Nova Gas Transmission and Beaver Mines Community Association.

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  
Senior Planner

GS/jm  
Attachment

# RESOLUTION

2020-0-044

**M.D. of Pincher Creek No. 9 Raw Water Reservoir** subdivision of NW1/4 10-6-2-W5M

THAT the Raw Water Reservoir subdivision of NW1/4 10-6-2-W5M (Certificate of Title No. 191 090 149), to create a 1.04 acre (0.42 ha) parcel from a title of 111.88 acres (45.3 ha) for a public utility use; BE APPROVED subject to the following:

## RESERVE:

That, the 10% reserve requirement, pursuant to Sections 669(2) and (3) of the Municipal Government Act, on the 1.04 acres be deferred by caveat 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.

## REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. 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.
3. That in accordance with Municipal Development Plan Part III A. a waiver of the agricultural subdivision policies was deemed appropriate and granted.

## INFORMATIVE:

- (a) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (b) 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 Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (c) Telus Communications Inc. has no objections to the above mentioned circulation.
- (d) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.

Please contact FortisAlberta land services at [landserv@fortisalberta.com](mailto:landserv@fortisalberta.com) or by calling (403) 514-4783 for any questions.



- (e) Please be advised that our existing/future gas line(s) on the subject property are protected by way of a Utility Right of Way Agreement, registered as Instrument(s) #771 130 527.

Therefore, ATCO Gas has no objection to the proposed subdivision.

- (f) ATCO Transmission high pressure pipelines has no objections. Questions or concerns can be forwarded to [hp.circulations@atco.com](mailto:hp.circulations@atco.com).

- (g) Alberta Health Services – Wade Goin, Executive Officer/Pubic Health Inspector:

“In response to the April 8, 2020 request for comment on the above noted subdivision, we have reviewed the information and wish to provide the following comments:

- Alberta Health Services does not object to this subdivision provided all other pertinent bylaws, regulations and standards are complied with.

If you require any further information, please call me at 403-562-5030.”

- (h) Alberta Transportation – Leah Olsen, Development/Planning Technologist:

“Reference your file to create a public utility lot at the above noted location.

The proposal is contrary to Section 14 and subject to the requirements of Section 15(2) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002, consolidated up to 188/2017 (“the regulation”).

Alberta Transportation’s primary objective is to allow subdivision and development of properties in a manner that will not compromise the integrity and associated safe operational use or the future expansion of the provincial highway system.

To that end, currently and as proposed, the lot to be created and the remnant land gain indirect access to Highways 507 and 774 solely by way of the hamlet’s internal street system and/or the local road system. As such, strictly from Alberta Transportation’s point of view, we do not anticipate that the creation of the public utility lot as proposed would have any appreciable impact on the provincial highway network.

Therefore, pursuant to Section 16 of the regulation, in this instance, Alberta Transportation grants a waiver of said Sections 14 and 15(2).

The applicant would also be advised that any development within the highway right-of-way or within 300 metres beyond the limit of a controlled highway or within 800 metres from the center point of an intersection of the highway and another highway would require the benefit of a permit from our department. This requirement is outlined in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

The subject property is within the noted control lines; however, given that development setbacks will be maintained by default and all access to the highway is indirect by way of the hamlet’s internal street system and/or the local road system, in this instance, a permit from Alberta Transportation will not be required, and development of the public utility lot could proceed under the direction, control, and management of the Municipal District of Pincher Creek No. 9 subdivision and development land use authority. The applicant could contact the undersigned, at Lethbridge 403-382-4052, in this regard.

Alberta Transportation accepts no responsibility for the noise impact of highway traffic upon any development or occupants thereof. Noise impact and the need for attenuation should be thoroughly assessed. The applicant is advised that provisions for noise attenuation are the sole responsibility of the developer and should be incorporated as required into the subdivision/development design.

Any peripheral lighting (yard lights/area lighting) that may be considered a distraction to the motoring public or deemed to create a traffic hazard will not be permitted.

Further, should the approval authority receive any appeals in regard to this application and as per Section 678(2.1) of the Municipal Government Act and Section 5(5)(d) of the regulation, Alberta Transportation agrees to waive the referral distance for this particular subdivision application. As far as Alberta Transportation is concerned, an appeal of this subdivision application may be heard by the local Subdivision and Development Appeal Board provided that no other provincial agency is involved in the application.”

- (i) Canada Post has no comment.
- (j) TC Energy – Kayla McCarthy, Community Planner:

“Thank you for sending B&A Planning Group notice of this project on April 8, 2020. B&A is the landuse planning consultant for TC Energy in Western Canada. On behalf of TC, we work with municipalities and stakeholders regarding land use and development surrounding their pipeline infrastructure to ensure that it occurs in a safe and successful manner.

As per the requirements of the Canada Energy Regulator (CER), additional development in proximity to TC’s pipelines with potential new residents, employees, structures, ground disturbance, and crossings could warrant pipeline remediation. Consultation between TC and the applicant prior to development assists both parties in determining the best course of action to proceed with potential remediation and development. This is to help prevent pipeline damage, unwarranted crossings, and identify development within proximity to the pipeline that may trigger a pipeline Class upgrade.

#### Description of Proposed Development

We understand that this application is for a subdivision of NW 10-6-2 W5M. It will create a 1.04 acre (0.42 ha) Public Utility Parcel from a title of 111.88 acres (45.3 ha) Agricultural Parcel. The proposal is to accommodate the subdivision of a 40m x 40m water reservoir site and its associated 10m access road.

Please refer to Attachment 01 Approximate Location of TC Infrastructure for maps that show the proposal in relation to the approximate location of TC’s infrastructure.

#### Assessment of Proposed Development

As demonstrated in Attachment 01 Approximate Location of TC Infrastructure, there are two TC Energy pipelines intersecting the SW corner of the remainder Agricultural parcel.

Based on a review of this application the proposed development does not intersect the existing pipelines or have any work proposed within the pipeline assessment area. Therefore, TC Energy has expressed no concerns with this project.

#### Recommendations

TC has expressed no concerns with this project at this time. However, for all future development within the vicinity of TC infrastructure, the following recommendations shall be adhered to:

1. In order to identify the precise alignment of the pipeline on the subject lands, a Locate Request must be made prior to any ground disturbance taking place. Locate requests can be made online at [www.clickbeforeyoudig.com](http://www.clickbeforeyoudig.com) or by calling your local One-Call Centre. Locate requests generally take 72 hours to be completed.
2. No work may take place within TC’s pipeline right-of-way without a TC representative on site.
3. All permanent or temporary crossings of pipelines require written consent from TC Energy. Written consent may be obtained online through TC’s Canadian Third Party Crossing Application Portal at [writtenconsent.tcenergy.com](http://writtenconsent.tcenergy.com) or by calling 1-877-872-5177.
4. If the proponent plans to cross the pipeline in the future and applies through the online application portal noted above, please advise them to send the application # (“D#”) associated with that application to [tcenergy@bapg.ca](mailto:tcenergy@bapg.ca) for our records.

5. Ground disturbance is any work, operation or activity that results in an addition to or reduction of the earth cover on the ground, including but not limited to excavating, digging, ditching, plowing, stripping topsoil etc. Any ground disturbance within 30m of the pipeline, known as the “prescribed area” requires written consent from TC Energy. Written consent may be obtained online at [writtenconsent.tcenergy.com](http://writtenconsent.tcenergy.com) or by calling 1-877-872-5177.
6. Permanent structures shall not be installed anywhere on the ROW. TC Energy’s preference is that permanent structures should be placed at least seven (7) metres from the edge of the ROW and twelve (12) metres from the edge of the pipeline.
7. Temporary structures shall not be installed anywhere on the ROW. TC Energy’s preference is that temporary structures should be placed at least three (3) metres from the edge of the ROW and eight (8) metres from the edge of the pipeline.
8. As per the requirements of the Canada Energy Regulator (CER), TC Energy is required to monitor all new development in the vicinity of their pipelines that results in an increase in population or employment. Therefore, please keep us informed regarding any additional development within the Pipeline Assessment Area indicated in Attachment 01 Approximate Location of TC Infrastructure.

Requirements and guidelines for development on or near TC Energy’s pipelines and infrastructure are included within Attachment 02 Development Within Proximity to TC Energy Infrastructure and Attachment 03 Work Safely Booklet, and we recommend that they be reviewed in full.

#### Conclusion

Please continue to keep us informed about this project and any future policy, land use, subdivision, and development activities in proximity to TC’s pipelines and facilities. Referrals and any questions regarding land use planning and development around pipelines should be sent to [tcenergy@bapg.ca](mailto:tcenergy@bapg.ca). Thanks again for providing us with the opportunity to provide comments on this project and we look forward to working with you in the future.” (See Attachments)

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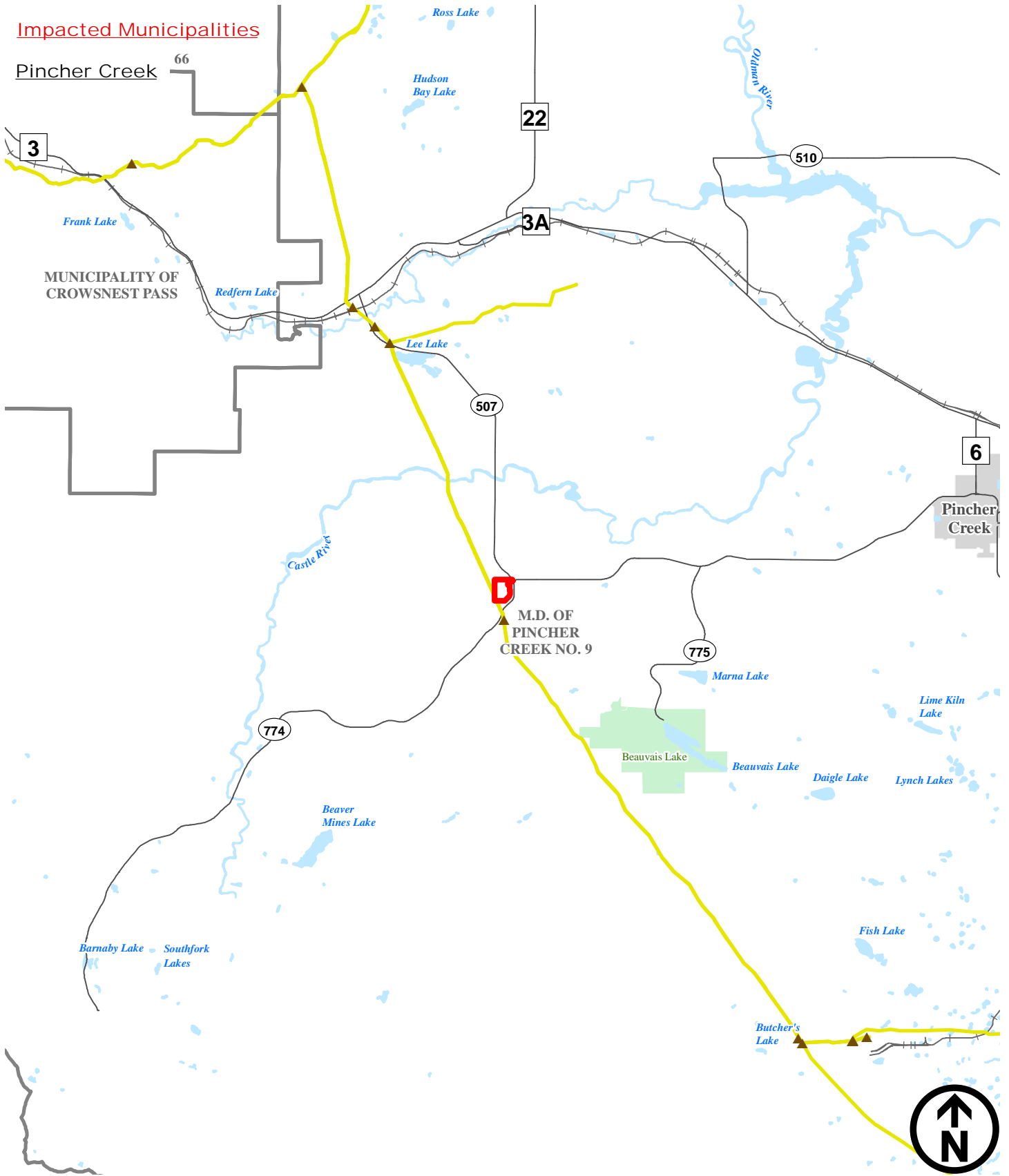
CHAIRMAN

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DATE

**Impacted Municipalities**

Pincher Creek



Map File: R01552AB\_Context

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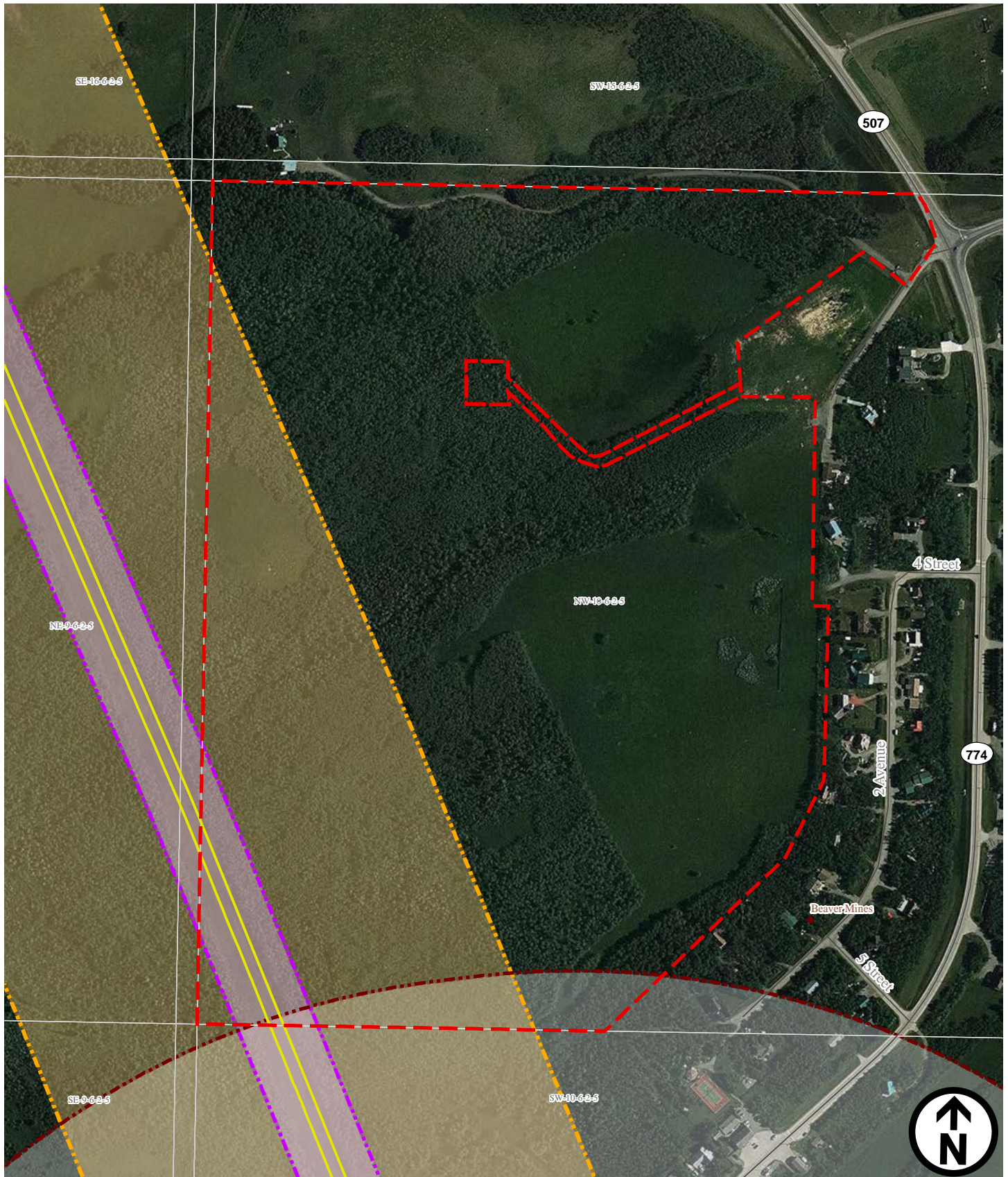


**Legend**

- Subject Site
- TC Energy Facility
- TC Energy Pipeline
- Railway
- Major Road
- Rural Municipality
- Urban Municipality
- Park
- Waterbody

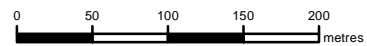


**Context Map**  
 Plan of Subdivision  
 Pincher Creek  
 Referral #: **R01552AB**  
 TC Region: **Rocky Mountain**  
 April 2020



Map File: R01552AB\_Concept





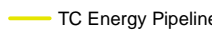



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**Legend**

-  Subject Site
-  Prescribed Area (30m)
-  Pipeline Assessment Area (220m)
-  Facility Assessment Area (800m)
-  TC Energy Pipeline
-  Hamlet
-  Road
-  Quarter Section

**TC Energy Infrastructure**  
**Plan of Subdivision**

Pincher Creek

Referral #: **R01552AB**

*Map and data for informational and planning purposes only*  
*Conceptual alignment only. Aerial Source: ESRI*

April 2020

## Attachment 0\_ Development within proximity to TC Pipelines

### TC infrastructure rights-of-way and setbacks:

A **right-of-way** is a surveyed area of a certain width and an agreement which grants legal rights of access to operate and maintain a facility.

- TC's buried infrastructure is commonly situated within a **right-of-way** which grants legal rights of access to operate and maintain the facility in an effective and expeditious manner. Structures and appurtenances constructed within or adjacent to the right-of-way may impede company access and timely response for maintenance obligations and operational inspections. In this regard ***development within the right-of-way is discouraged***.
- In some circumstances TC may be required to mobilize equipment and conduct excavations which encompass the entire right-of-way width. Resultantly, **structures abutting the right-of-way** may be directly impacted by such activities. The integrity of these structures may be affected due to proximity to open excavations and alternately may cause safety concerns for employees working within the excavation.

A **setback** is the minimum distance required between a property line and a structure as dictated by a regulator and/or municipality.

- Many **municipalities have by-laws** prescribing distances at which permanent and temporary structures may be situated in relation to the edge of utility corridors. Where municipal setbacks are in place, TC will request adherence to these set-backs under most circumstances.
- Right-of-way widths may be inconsistent, as is the positioning of the pipeline within the right-of-way, however *applicants should be aware of municipal setback requirements and incorporate them in their planning*.
- Generally, permanent structures (structures with permanent footings, pilings or poured concrete foundations or basements) placed at a distance of 7 metres outside of the right-of-way and 12 metres from the edge of the pipeline will not typically be adversely impacted by routine operation maintenance and construction. Any ground disturbance **within 30 metres** of the centerline of the pipe, construction of a facility across, on, along or under a pipeline (including the right-of-way), or vehicle or mobile equipment crossing the pipeline right-of-way may not occur without TC's **written consent**. For detailed guidelines about applying for written consent from TC, visit [writtenconsent.transcanada.com](http://writtenconsent.transcanada.com) or call 1.877.872.5177. A copy of the guidelines can also be provided upon request.

In general, please be aware that *no work may take place within TC's pipeline right-of-way, or within a TC designated exclusion area, without a TC representative on site*. If you are planning to undertake construction within proximity to TC infrastructure, please remember the following:

- Any paralleling workspaces have a preferred separation distance of 7 metres minimum from TC infrastructure;
- The instructions and directions of the TC's representative must be strictly adhered to;
- Hand excavation of the pipeline prior to mechanical excavation within 5 metres is necessary in all circumstances; and
- Check with the local municipality to determine if there are any additional set-backs required from pipeline right-of-way.

If any **excavation or digging** within 30 metres from the centreline of the pipeline or any **temporary or permanent crossings** are required, the landowner must apply for written consent through the online application process.

A **crossing** includes any of the following activities:

- Constructing or installing a facility across, on, along or under a TC pipeline Right-Of-Way;
- Conducting ground disturbance (excavation or digging) on or within the prescribed area (30 meters from the centreline the pipeline); and
- Driving a vehicle, mobile equipment or machinery across a TC pipeline right of-way outside the travelled portion of a highway or public road.

Any proposed crossings will require crossing agreements that must be applied for through TC's online third party crossing tool: *Canadian Third Party Crossings Application Portal*. Click here to access the tool online: <https://pi-iaqforms.tcenergy.com/Runtime/Form/Welcome.Form/>.

**Please note that:**

- Crossings must occur as close as possible to 90 degrees.
- Crossings must not occur at a bend in the pipeline.
- Paralleling roads must be located outside of TC's ROW.
- TC highly recommends that **roads** be a minimum of **7m from the edge of the pipeline**, and if abutting the ROW only be limited to one side of the ROW (any exceptions to this may require additional pipeline modifications or protective measures to be completed and reimbursed to TC; this is determined at the detailed design and assessment stage).
- A **road** must be constructed so that the travelled surface is no less than 1.5 metres above the top of the pipeline.
- The bottom of the ditches adjacent to **roads** should not be less than 1.4 metres above the top of the pipeline.

- Minimum cover for **railway crossings** (below base of rail) is 3.05 metres for uncased pipe.

If you are installing or constructing **utilities in proximity to TC pipelines or infrastructure**, please remember that:

- TC will retain the upper position in the crossing area;
- The Minimum separation between buried facilities must be:
  - For open cut excavations – 300mm (600mm during installation)
  - For horizontal directional drills (HDD) – 1000mm
- The utility depth must be maintained for the entire width of the pipeline right-of-way;
- The utility must have no bends within the pipeline right-of-way;
- The utility must have no joints, splices or other connections within the pipeline right-of-way;
- Utility crossings must not be placed within seven (7) metres of a pipeline bend.

For more detailed requirements on development in proximity to TC pipelines and facilities please click on the following Link: <https://www.tcenergy.com/sustainability/safety/safe-digging/canada/landowners-and-neighbours/>.

#### **Recommended Resources:**

- 1) TC's **Work Safely booklet** containing guidelines for development near their pipelines and facilities (enclosed).
  - This booklet outlines what TC does, its pipelines, regulatory requirements, and safety requirements for working around its facilities, crossing requirements, and requirements for development on or near TC's pipeline ROWs. Important contact information is also provided.
- 2) Canadian Standards Association's (CSA) **Z663-18 Standard**: "*Land use planning in the vicinity of pipeline systems.*" Available for purchase (\$200) at <https://store.csagroup.org/>.
  - This Standard aims to address the challenges facing land use planning near pipelines in Canada; outlining key elements that, when consistently applied, will enhance safe and informed development.
- 3) CSA's **Z662-19 Standard**: "*Oil and gas pipeline systems.*" Available for purchase (\$798) at <https://store.csagroup.org/>.
  - This technical Standard details the safe design, construction, and maintenance of pipeline systems across the Canada. Z662 is referenced in provincial, territorial, and federal legislation.



# Work safely.

## Development near our pipelines and facilities

These guidelines are intended to provide useful and timely safety information. TC Energy endeavors to ensure the information is as current and accurate as possible.

[TCEnergy.com](https://www.tchenery.com)



## About us

For over 65 years, TC Energy has proudly delivered the energy millions of North Americans rely on to power their lives and fuel industry.

Guided by our values of safety, responsibility, collaboration and integrity, our more than 7,000+ employees are deeply rooted in their communities and ensure that we develop and operate our facilities safely, reliably and with minimal impact on the environment. We are committed to listening to our neighbours and working with all our stakeholders to develop better project plans and create long-term opportunities and economic benefits in the communities where we operate across Canada, the U.S. and Mexico.

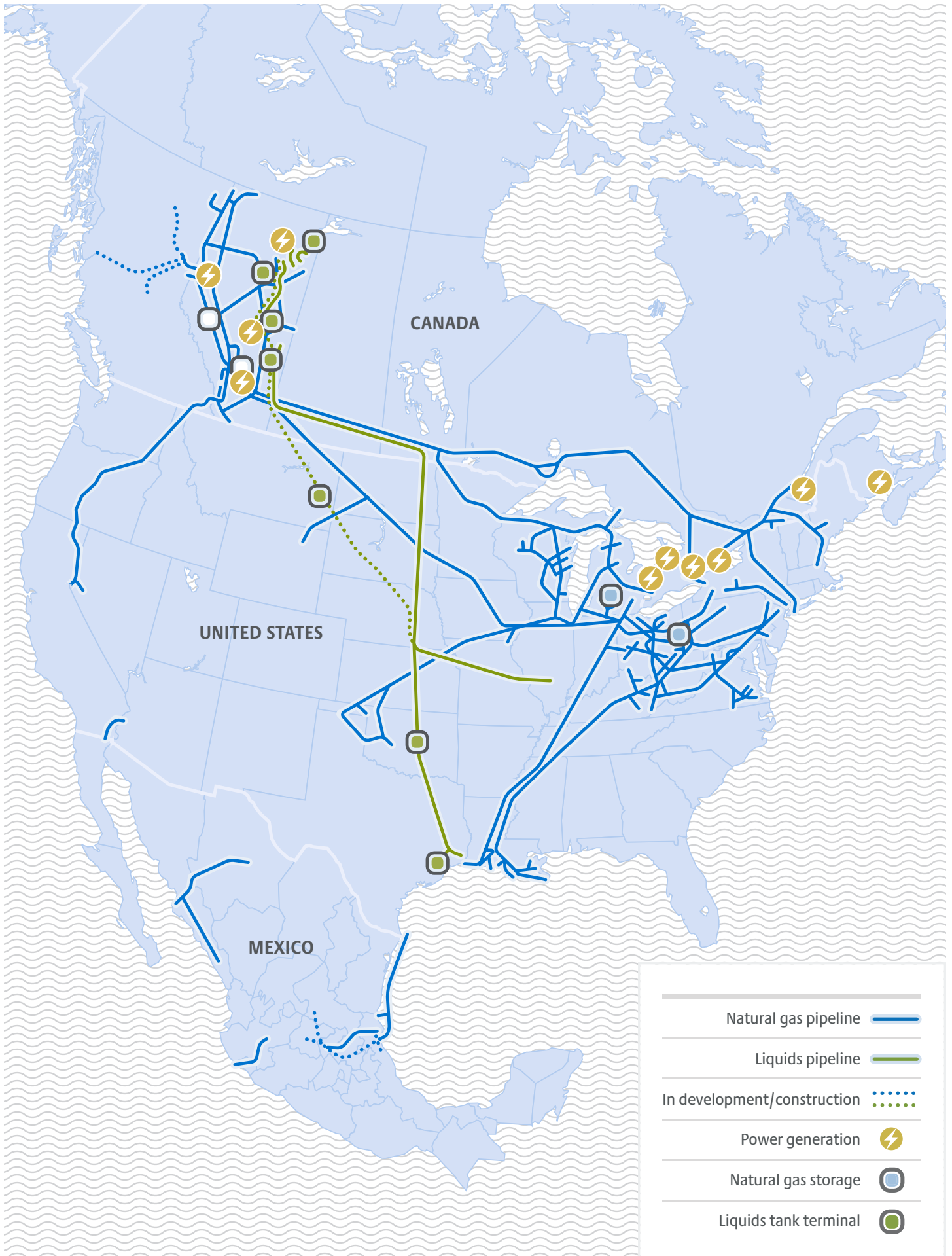
In May 2019, we changed our name from TransCanada to TC Energy to better reflect the scope of our operations and to reinforce our position as a leading North American energy infrastructure company. Whether our stakeholders know us as TC Energy in English, TC Énergie in French, or TC Energía in Spanish, our neighbours, partners and investors can continue to count on us to follow through on our commitments and live up to our values in everything we do.

## Our pipelines

Pipelines are the safest and most efficient method to transport natural gas and oil to market. Natural gas is odourless, colourless and will dissipate quickly when released because it is lighter than air. However, the gas is flammable and can be explosive if ignited. Crude oil is a liquid mixture of naturally occurring petroleum hydrocarbons and can possess a rotten egg, gasoline, tar or “skunk-like” odour. Crude oil vapours are volatile, and can be flammable and explosive.

Typically, TC Energy does not own the land where our pipelines are located, but instead acquires the right prior to construction to install and operate the pipeline and related facilities within a pipeline right-of-way through an easement or right-of-way agreement with the landowner. The terms of the right-of-way agreements vary but generally provide TC Energy with the right to access, construct, operate, maintain and abandon the pipeline within the right-of-way.

The width of the right-of-way is based on the size and type of the pipeline and related facilities. By contrast, TC Energy does typically own the land where both compressor stations, which re-pressurize gas along the pipeline to ensure the gas flows continuously at a desired flow rate, and pump stations, which pump oil through the pipeline from one point to the next, are located. The lands required for meter stations, which measure product volume, are either leased directly from landowners or owned by TC Energy.



## Regulatory requirements

TC Energy's pipeline design, construction and maintenance programs meet or exceed industry and government standards. In Canada, our operations are regulated by provincial and federal authorities including the Canada Energy Regulator (CER). Legislation and regulations set out the requirements governing activities in proximity and on pipeline rights-of-way, including vehicle and equipment crossings, construction of facilities on or near a right-of-way, and other activities that could cause ground disturbances, which might impact the pipeline. Such legislation and regulations aim to ensure the safety and protection of the public, our employees, the environment as well as our pipeline facilities and other property.

## Safety

At TC Energy, we seek to anticipate and minimize hazards of every description. From design and construction to operation and maintenance, safety is an integral part of everything we do. TC Energy regularly communicates pipeline safety information to stakeholders through our public awareness program.

Our safety practices include monitoring changes in land use near our pipeline facilities. This can involve meetings with landowners, municipal decision makers, administrative staff and land use planners.

TC Energy also has an extensive pipeline maintenance program that ensures our pipeline facilities are regularly monitored, inspected and repaired in order to meet or exceed best industry practices and regulatory requirements. Our entire pipeline transmission system is monitored from our control centres 24 hours a day, 7 days a week. In addition, TC Energy carries out the following activities as part of our pipeline maintenance program:

**Aerial patrols** – TC Energy carries out aerial patrols of the pipeline route to identify hazards from outside sources, including unauthorized construction and ground disturbances near the pipeline. Sensitive detection equipment may be used during these patrols to identify gas leaks.

**In-line pipeline inspections** – TC Energy conducts in-line pipeline inspections using tools that travel through the pipeline collecting data and looking for locations where corrosion, metal loss or dents may have occurred.

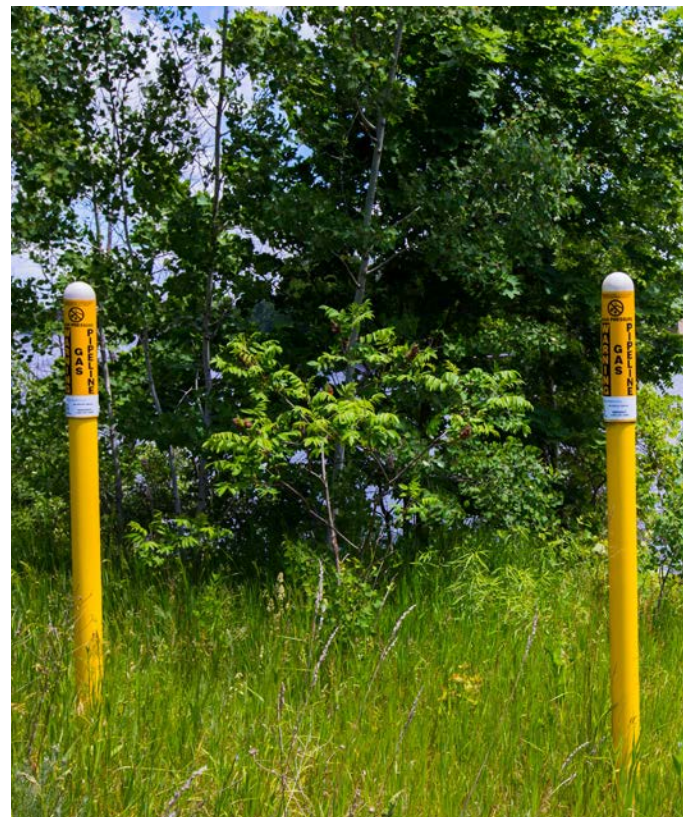
**Hydrostatic testing** – TC Energy uses hydrostatic testing, typically at the completion of pipeline construction, but to verify the safety of existing pipelines. Sections of the pipeline are filled with water and the pressure is increased beyond normal operating pressure to test pipeline strength and identify any pipeline leaks.

**Cathodic protection** – TC Energy uses cathodic protection, which involves applying a low-voltage electrical current to the metal pipe to protect the pipeline against corrosion. The cathodic protection system is monitored regularly to ensure proper protection against pipeline corrosion.

**Pipeline signage** – TC Energy installs pipeline signs at all road, rail, and waterbody crossings and at other strategic points along the pipeline route to identify the approximate location of our pipelines. Pipeline signs contain important information such as:

- The owner of the pipeline
- The product shipped in the pipeline
- Emergency contact numbers

**BE AWARE:** Pipeline signs will not designate the exact location, depth or number of pipelines in the area. Contact your local one-call centre and TC Energy will send a representative to the proposed excavation site to mark the pipeline.



## Approvals for working around

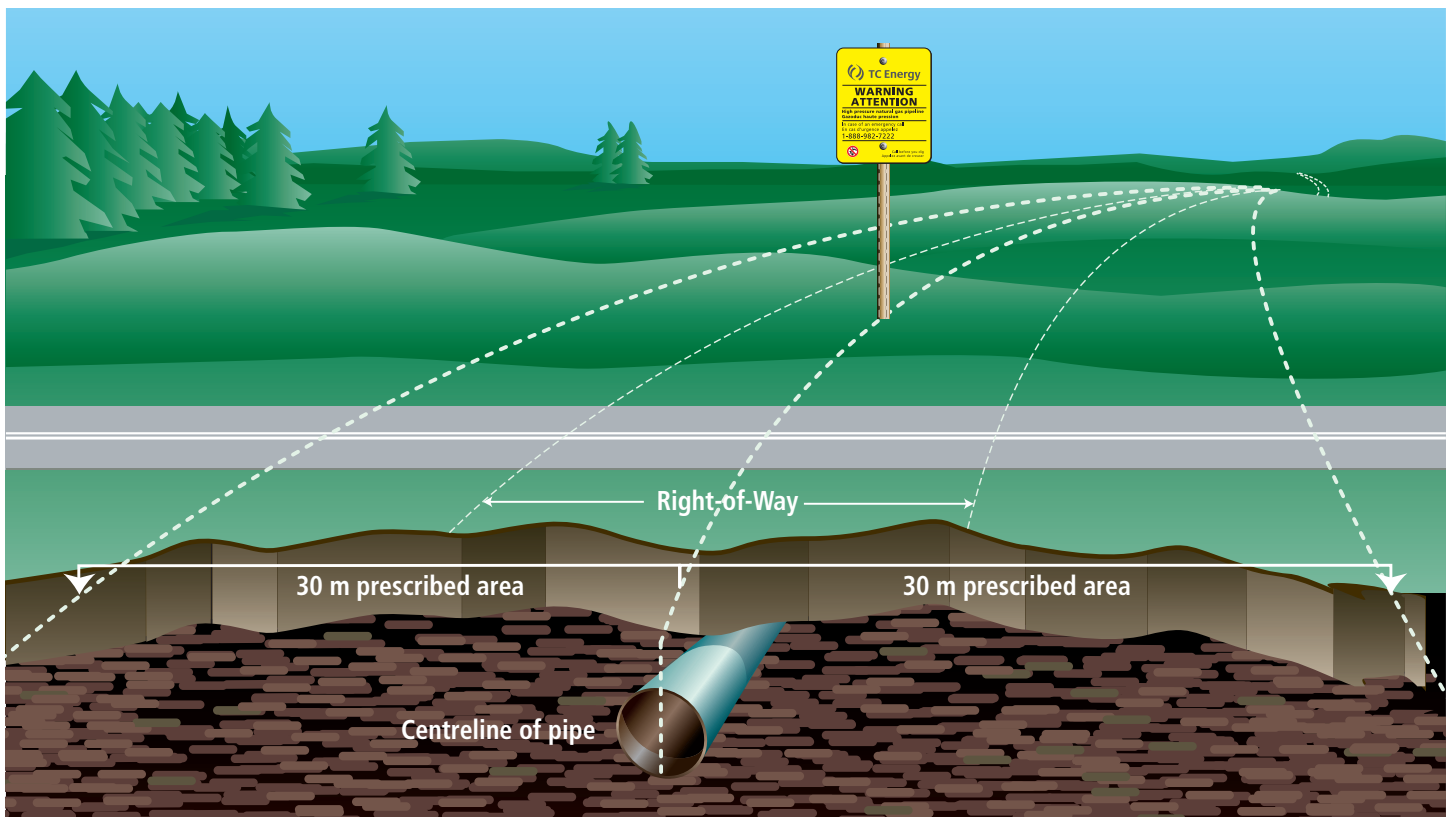
### TC Energy's facilities

To ensure our pipelines and facilities operate safely, written consent from TC Energy must be obtained in Canada before any of the following:

- Constructing or installing a facility across, on, along or under a TC Energy pipeline right-of-way
- Conducting ground disturbance (excavation or digging) on or within the prescribed area (30 metres or 100 feet from the centreline of the pipeline)
- Driving a vehicle, mobile equipment or machinery across a TC Energy pipeline right-of-way outside the travelled portion of a highway or public road
- Using any explosives within 300 metres or 1,000 feet of TC Energy's pipeline right-of-way
- Use of the prescribed area for storage purposes

### The following are examples of ground disturbances:

- Digging
- Excavation
- Trenching
- Tunneling
- Boring/drilling/pushing
- Augering
- Topsoil stripping
- Land leveling/grading
- Plowing to install underground infrastructure
- Tree or shrub planting
- Cleaning and stump removal
- Subsoiling
- Blasting/using explosives
- Quarrying
- Grinding and milling of asphalt/concrete
- Seismic exploration
- Driving fence posts, bar, rods, pins, anchors or pilings
- In-ground swimming pools



## Locate request

Any person planning to construct a facility across, on, along or under a pipeline (including the right-of-way), conduct a ground disturbance activity within 30 metres of the centreline of a pipe, or operate a vehicle or mobile equipment across a right-of-way, must request a locate service.

Locate requests can be made online ([www.clickbeforeyoudig.com](http://www.clickbeforeyoudig.com)), via mobile apps (Saskatchewan and Quebec) or via phone (see the back of this booklet for more details). The locate request must be made at least three working days in advance of the ground disturbance, construction activity, or vehicle or mobile equipment crossing.

The One-Call Centre will notify TC Energy to send a representative to mark the facilities with flags, paint or other markings in order to help you avoid damaging them. The TC Energy representative will explain the significance of the markings and provide you with a copy of the locate report. The service is free and could prevent accidents, injuries or deaths.

## Written consent

After you apply for written consent, TC Energy will assess the planned work to ensure it does not pose a risk of damage to the pipeline and to ensure that access to the pipeline for maintenance or emergency purposes is not impeded.

Obstacles on a right-of-way, such as sheds, trailers, boats, garbage and vegetation can interfere with TC Energy's pipeline maintenance program (detailed in safety section above). In some cases, TC Energy may require additional time to assess the situation prior to providing consent.

### In review, prior to commencing any activities in proximity to the pipeline, you must:

- Make a locate request
- Obtain TC Energy's written consent (apply online at [writtenconsent.transcanada.com](http://writtenconsent.transcanada.com) or call 1-877-872-5177). Often written consent for minor activities can be obtained directly from regional TC Energy representative through a locate request.
- Obtain TC Energy's safety practices to be followed while working in the vicinity of its pipes or prescribed area and information that clearly explains the significance of the locate markings.

## Mobile equipment and vehicle crossings

The operation of a vehicle or mobile equipment across a TC Energy right-of-way requires TC Energy's written consent, except in the following circumstances:

- Vehicle or mobile equipment is operating within the travelled portion of a highway or public road across the right-of-way
- Vehicle and mobile equipment is being used to perform an agricultural activity and the following conditions are being met:
  1. The loaded axle weight and tire pressures of the vehicle is being operated within the manufacturer's approved limits and operating guidelines; and
  2. The point of crossing has not been identified by TC Energy as a location where a crossing could impair the pipeline's safety or security

## Agricultural activities

Agricultural activity involves the work of producing crops and raising livestock and includes tillage, plowing, disking, harrowing, and pasturing but does not include the construction of new buildings or the placement of footings, foundations, pilings or posts.

The following agricultural activities do not require written consent from TC Energy:

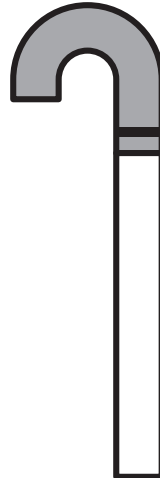
- Cultivation activities (e.g. tillage, plowing, disking and harrowing) to a depth of less than 45 centimetres, as these activities are exempt from the applicable statutory definitions of a ground disturbance (See the Approvals for Working Around TC Energy's Facilities section).
- Agricultural vehicle and mobile equipment crossings as described in the mobile equipment and vehicle crossings section above.



Warning sign



Warning sign



Vent marker



Aerial marker

## Development on or near the pipeline right-of-way

It is important for municipal authorities, developers and landowners to consult with TC Energy early in the planning stage of a development project on or near a right-of-way to ensure that TC Energy's pipelines and facilities are appropriately incorporated into the plan and that any new development near our facilities meets regulatory and TC Energy requirements.

Contact TC Energy before developing within 750 metres of TC Energy compressor stations and pump stations so that we can analyze potential impacts and recommend measures to protect adjacent lands from industrial impacts.

TC Energy requires significant advance notice for any development which increases the population density within approximately 200 metres of a pipeline. Population growth means potential changes to the operating requirements of the pipeline, and could result in a revision to operating pressure, a pipeline replacement, and/or other mitigation actions as necessary. Failure to consult with TC Energy in advance may result in significant delays and costs to the development. during these patrols to identify gas leaks.

Municipalities often prescribe minimum setback distances to restrict the building of a structure within a prescribed distance from a curb, property line, right-of-way or structure. These setbacks can help to minimize the risk of damage to buried infrastructure. As municipal setback requirements vary, contact the local authority and TC Energy to determine the requirements in your area.

**Any ground disturbance within 30 metres of the centerline of the pipe, construction of a facility across, on, along or under a pipeline (including the right-of-way), or vehicle or mobile equipment crossing the pipeline right-of-way may not occur without TC Energy's written consent.**

For detailed guidelines about applying for written consent from TC Energy, visit [writtenconsent.transcanada.com](https://www.transcanada.com/writtenconsent) or call **1-877-872-5177**. A copy of the guidelines can also be provided upon request.

The following must be taken into consideration when planning a development project.

**Subdivisions** – Contact TC Energy early in the design process so that we can comment on the proposed subdivision plans. TC Energy's practice is that our right-of-way be used as a passive green space or as part of a linear park system. Permanent structures on the right-of-way are not permissible.

**Roads and Utilities** – Contact TC Energy when designing roads and utilities. Roads may be permitted to cross and/or run parallel to the right-of-way, but no portion of a road allowance can be located on the right-of-way (apart from approved road crossings). TC Energy will also review the location of utilities, which are often proposed to be installed within road allowances.

**Blasting** – Contact TC Energy before conducting any blasting activities within 300 metres of the pipeline right-of-way so TC Energy can review your plans for potential impacts to its facilities. Blasting activities related to prospecting for mines and minerals within 40 metres of a federally regulated pipeline right-of-way require permission from the CER.

**Landscaping** – Contact TC Energy for written consent before landscaping. Projects such as pedestrian pathways and the planting of trees and shrubs may be permitted as long as they do not impede TC Energy's access along its right-of-way for operational or maintenance activities. Our written consent will specify the permitted landscaping requirements.

## Important contact information

### Canadian One-Call centres

British Columbia . . . . .	1-800-474-6886
Alberta . . . . .	1-800-242-3447
Saskatchewan. . . . .	1-866-828-4888
Manitoba . . . . .	1-800-940-3447
Ontario . . . . .	1-800-400-2255
Quebec . . . . .	1-800-663-9228
<a href="http://www.clickbeforeyoudig.com">www.clickbeforeyoudig.com</a>	

### Mobile phone apps

Saskatchewan. . . . .	Sask1st Call
Quebec . . . . .	Info-Excavation
Emergency . . . . .	1-888-982-7222

### General inquiries

Phone . . . . .	1-855-458-6715
Email . . . . .	<a href="mailto:public_awareness@tcenergy.com">public_awareness@tcenergy.com</a>

### Landowner inquiries

Phone . . . . .	1-866-372-1601
Email . . . . .	<a href="mailto:cdn_landowner_help@tcenergy.com">cdn_landowner_help@tcenergy.com</a>

### Applying for written consent

Online. . . . .	<a href="http://writtenconsent.transcanada.com">writtenconsent.transcanada.com</a>
Phone . . . . .	1-877-872-5177

### Crossings inquiries

Email . . . . .	<a href="mailto:crossings@tcenergy.com">crossings@tcenergy.com</a>
Quebec email. . . . .	<a href="mailto:quebec_crossings@tcenergy.com">quebec_crossings@tcenergy.com</a>

The majority of TC Energy's pipelines are regulated by the Canada Energy Regulator in Canada, with some pipelines regulated provincially. For more information on CER-regulated pipelines, visit [www.cer-rec.gc.ca](http://www.cer-rec.gc.ca).



## NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

**DATE:** April 8, 2020

**Date of Receipt:**

March 16, 2020

**Date of Completeness:**

March 23, 2020

**TO: Landowner:** Steven John Oczkowski, Rhonda Lee Oczkowski,  
Carter John Oczkowski

**Agent or Surveyor:** Michael A. Thompson, A.L.S.

**Referral Agencies:** M.D. of Pincher Creek No. 9, Bev Everts, Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, FortisAlberta, TELUS, ATCO Gas, ATCO Pipelines, AB Health Services - Lethbridge, AB Environment & Parks - J. Wu, AB Transportation, Historical Resources Administrator, AER, Canada Post, Nova Gas Transmission, Beaver Mines Community Association

**Adjacent Landowners:** Barbara McRae, Bernard J Bonertz, Dan Brownrigg, Douglas A Bryshun, Editha Wallocha, Kenneth & Cindy Bly, Lorna Maureen McRae, Lynn Marie Calder and Mark Pinard, M.D. of Pincher Creek (Beaver Mines Firehall), M.D. of Pincher Creek Beaver Mines Comm Assoc, Michael J & Merle Ann Lynch, Norbert Hans Wallocha, Patrick J & Cynthia W McDonald, Pete & Lois Falkenberg, Pieridae Alberta Production Ltd., Rick Czarny, Robert A Cameron, Tobias & Kimberly A. Gelber, Vernon & Yvonne Mcneely

**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. This letter serves as the formal notice that the submitted application has been determined to be complete for the purpose of processing.

In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email or mail no later than **April 27, 2020**. (Please quote our File No. **2020-0-044** in any correspondence with this office).

**File No.:** 2020-0-044

**Legal Description:** NW1/4 10-6-2-W5M

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

**Land Designation:** Agriculture - A  
(Zoning)

**Existing Use:** Agricultural

**Proposed Use:** Public Utility

**# of Lots Created:** 1

**Certificate of Title:** 191 090 149

**Meeting Date:** **May 5, 2020**

*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 1.04 acre (0.42 ha) parcel from a title of 111.88 acres (45.3 ha) for a public utility use.

The proposal is to accommodate the subdivision of a 40m x 40m water reservoir site and its associated 10m access road. This proposal was previously approved under Resolution 2018-0-002 which has been withdrawn. The difference between the two applications is the road; it is now being taken as part of the lot not as an access easement.

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 any conditions of Alberta Transportation shall be established prior to finalization of the application.
7. That a waiver of the Municipal Development Plan agricultural subdivision policies be granted by the Subdivision Approval Authority of the MD of Pincher Creek.

**RESERVE:**

- The 10% reserve requirement, pursuant to Sections 669(2) and (3) of the Municipal Government Act, on the 1.04 acres be deferred by caveat for Municipal Reserve purposes.

**PROCESSING NOTES:** No further comment pending a site inspection.

**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: \$ 1040.00	File No: 2020-0-044	
APPLICATION SUBMISSION		
Date of Receipt: March 16/20	Date Deemed Complete: March 23/20	Accepted By:

**1. CONTACT INFORMATION**

Name of Registered Owner of Land to be Subdivided: Steven, Rhonda, and Carter Oczkowski  
 Mailing Address: [REDACTED] Postal Code: [REDACTED]  
 Telephone: [REDACTED] Cell: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Name of Agent (Person Authorized to act on behalf of Registered Owner): Halma Thompson Land Surveys Ltd.  
 Mailing Address: 200 - 410 Stafford Drive S, Lethbridge Postal Code: T1J 2L2  
 Telephone: 403-381-1320 Cell: \_\_\_\_\_ Fax: 403-381-1366  
 Email: mthompson@htlandsurveys.ca

**2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED**

a. All/part of the NW ¼ Section 10 Township 6 Range 2 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: 0.420 hectares 1.04 acres  
 d. Total number of lots to be created: 1 Size of Lot(s): 40m by 40m with 10m wide access  
 e. Rural Address (if applicable): \_\_\_\_\_  
 f. Certificate of Title No.(s): 191 090 149

**3. LOCATION OF LAND TO BE SUBDIVIDED**

a. The land is located in the municipality of M.D. of Pincher Creek No. 9  
 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. 507  
 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 Agricultural  
 b. Proposed use of the land Raw Water Reservoir

**5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED**

- a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) Rolling towards Beaver Mines
- b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.)  
Developed Yard
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) clay
- 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.  
All to remain
- 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 potable water None
- b. Proposed source of potable water None

**7. SEWER SERVICES**

Describe:


- a. Existing sewage disposal None
- b. Proposed sewage disposal None

**8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF**

I Michael Thompson 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: March 13, 2020

**9. RIGHT OF ENTRY**

I Michael Thompson on behalf of Owner 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



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0035 156 728            5;2;6;10;NW                      191 090 149

LEGAL DESCRIPTION

MERIDIAN 5 RANGE 2 TOWNSHIP 6  
SECTION 10  
THAT PORTION OF THE NORTH WEST QUARTER  
WHICH LIES TO THE WEST OF THE SUBDIVISION ON PLAN  
BEAVER MINES 7850AL  
CONTAINING 52.2 HECTARES (129.06 ACRES) MORE OR LESS  
EXCEPTING THEREOUT

A) THAT PORTION OF THE SAID QUARTER SECTION BOUNDED AS FOLLOWS:  
COMMENCING AT THE NORTH EAST CORNER OF BLOCK C ON SAID PLAN  
7850AL; THENCE NORTHERLY ALONG THE WESTERN LIMIT OF FIRST AVENUE  
ON SAID PLAN 7850AL A DISTANCE OF 330 FEET; THENCE WESTERLY  
PERPENDICULAR TO THE SAID WESTERN LIMIT A DISTANCE OF 264 FEET  
THENCE SOUTHERLY PARALLEL WITH THE SAID WESTERN LIMIT TO THE  
INTERSECTION WITH THE NORTHERN BOUNDARY OF SAID BLOCK C; THENCE  
EASTERLY ALONG THE SAID NORTHERN BOUNDARY TO THE POINT OF  
COMMENCEMENT, CONTAINING 0.809 HECTARES (2.00 ACRES) MORE OR LESS

B) PLAN                      NUMBER                      HECTARES                      (ACRES)  
SUBDIVISION            8010218                      1.60                      (3.96)  
SUBDIVISION            8211369                      2.00                      (4.94)  
ROADWAY                8311575                      0.165                      (0.41)  
SUBDIVISION            8510181                      0.025                      (0.062)  
SUBDIVISION            8810351                      0.564                      (1.39)  
SUBDIVISION            1210773                      1.79                      (4.42)

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 161 190 430 +2

-----  
REGISTERED OWNER(S)  
REGISTRATION    DATE (DMY)    DOCUMENT TYPE    VALUE    CONSIDERATION  
-----  
191 090 149    13/05/2019    TRANSFER OF LAND       SEE INSTRUMENT

OWNERS

STEVEN JOHN OCZKOWSKI

( CONTINUED )

AND  
RHONDA LEE OCZKOWSKI

AND  
CARTER JOHN OCZKOWSKI

ALL OF:

[REDACTED]

-----  
ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
7804HT	10/03/1960	UTILITY RIGHT OF WAY GRANTEE - THE ALBERTA GAS TRUNK LINE CO LTD. AS TO PORTION OR PLAN:3038IC "BY INST. 7475HY"
771 130 527	21/09/1977	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.
021 080 163	09/03/2002	CAVEAT RE : RIGHT OF WAY AGREEMENT CAVEATOR - NOVA GAS TRANSMISSION LTD. 450-1 ST SW PO BOX 1000, STN M CALGARY ALBERTA T2P4K5 AGENT - RICK FARMER
121 064 381	19/03/2012	CAVEAT RE : DEFERRED RESERVE CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9. C/O OLDMAN RIVER REGIONAL SERVICES COMMISSION 3105-16 AVE NORTH LETHBRIDGE ALBERTA T1H5E8
171 203 813	12/09/2017	CAVEAT RE : UTILITY RIGHT OF WAY CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9. BOX 279, PINCHER CREEK ALBERTA T0K1W0 AGENT - BRIDGE LAND & ENERGY SERVICES LTD.

( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3  
# 191 090 149

REGISTRATION  
NUMBER          DATE (D/M/Y)          PARTICULARS

TOTAL INSTRUMENTS: 005

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 13 DAY OF MARCH,  
2020 AT 01:37 P.M.

ORDER NUMBER:    39019761

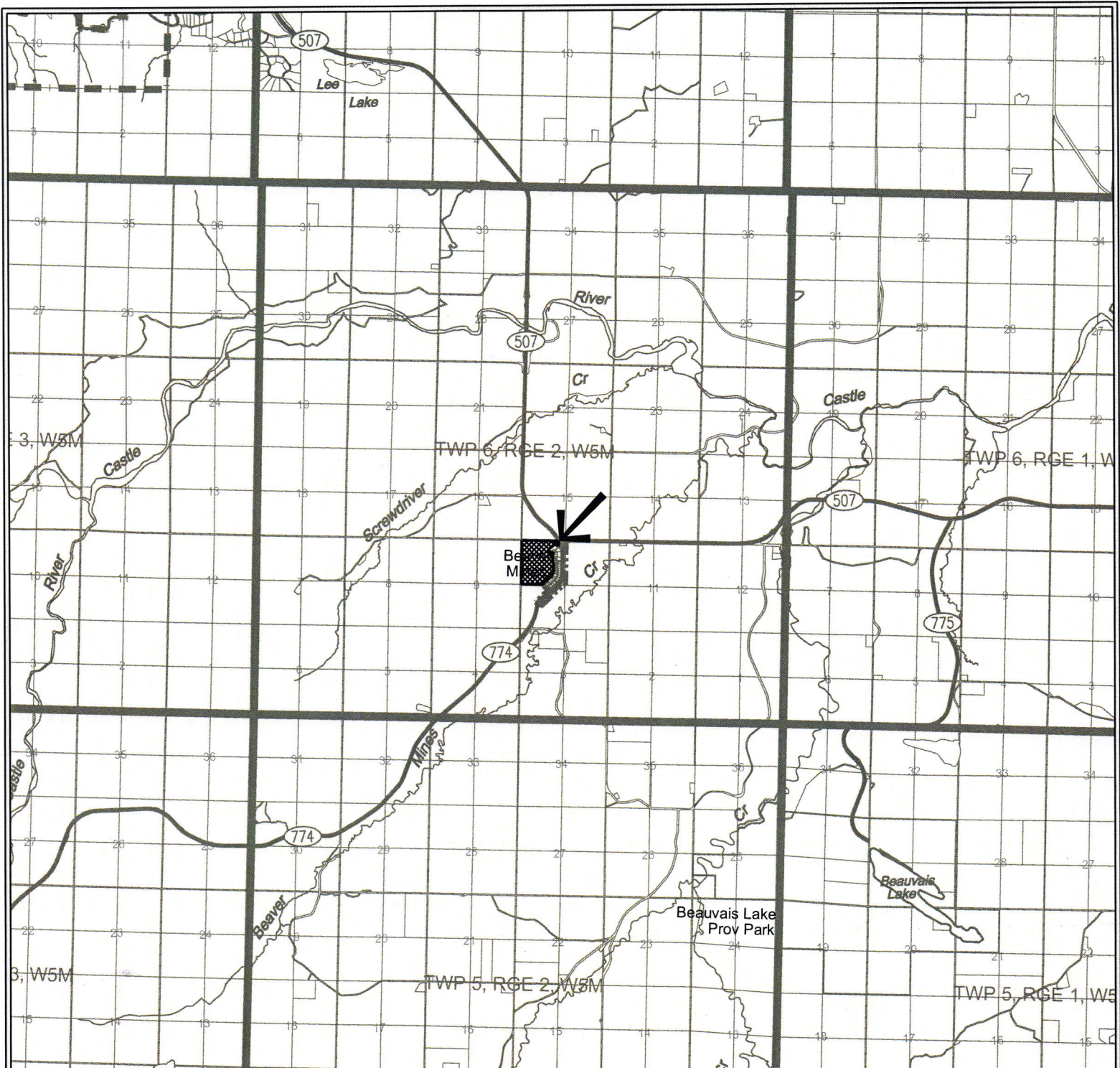
CUSTOMER FILE NUMBER:    H51317



\*END OF CERTIFICATE\*

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,  
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



**SUBDIVISION LOCATION SKETCH**  
 WITHIN NW 1/4 SEC 10, TWP 6, RGE 2, W 5 M  
 MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9  
 DATE: MARCH 25, 2020  
 FILE No: 2020-0-044

MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 THIS INFORMATION IS PROVIDED AS IS AND THE COMMISSION IS NOT RESPONSIBLE FOR ERRORS OR OMISSIONS





SE16

LOT 1

SW15 6-2-5 SE15

NW10

PROPOSED  
LOT 2PUL  
BLOCK 8  
0.42±ha.  
(1.04±ac.)

REMAINDER  
OF TITLE IN  
NW10 6-2-5  
44.86±ha.  
(110.84±ac.)

NE9 6-2-5

NE10 6-2-5

SE9

SW10 6-2-5

SW10 SE10

**SUBDIVISION SKETCH**  
**WITHIN NW 1/4 SEC 10, TWP 6, RGE 2, W 5 M**  
**MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9**  
**DATE: MARCH 25, 2020**  
**FILE No: 2020-0-044**



0 Metres 100 200 300 400  
March 26, 2020 N:\Subdivision\2020\2020-0-044.dwg





**SUBDIVISION SKETCH**  
 WITHIN NW 1/4 SEC 10, TWP 6, RGE 2, W 5 M  
 MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9  
 DATE: MARCH 25, 2020  
 FILE No: 2020-0-044



OLDMAN RIVER REGIONAL SERVICES COMMISSION



March 26, 2020 N:\Subdivision\2020\2020-0-044.dwg



AERIAL PHOTO DATE: 2015



**SUBDIVISION AUTHORITY**  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION

**FILE:**  
 MUNICIPAL DISTRICT OF PINCHER CREEK No. 9  
 PINCHER CREEK, AB  
 TOK, WYO

**DESCRIPTION OF PROPERTY:**  
 AT5 DESCRIPTION: NW 1/4 SEC 10, TWP 6, RGE 2, W 5th MER  
 C of T 1: N1 190 A00-2  
 REGISTERED OWNERS: STEVEN JOHN OZKOWSKI  
 JENNIFER ANN OZKOWSKI  
 CARTER JOHN OZKOWSKI

**ABBREVIATIONS:**  
 A Central Angle of Curve  
 Arc Arc  
 M Municipal Reserve  
 NAD North American Datum  
 P Public Utility Line  
 R Right of Way  
 S Section  
 U Universal Transverse Mercator

**LEGEND:**  
 ● Alberta Survey Control Marker  
 ○ Stipulatory iron post found  
 ○ Stipulatory iron post placed, marked P254

**NOTES:**  
 1. The georeferenced point is a found stipulatory iron post, UTM NAD83 (ORIGINAL) Coordinate 5483109.34 N, 702877.21 E.  
 2. A survey of 0.999907 was used to scale ground distances to the projected plane.  
 3. Field survey was completed between the dates of September 4, 2018 and January 24, 2020.  
 4. Easements along property lines are within 0.2m of the property line unless noted otherwise.

**THE EXISTENCE OR LOCATION OF ALL UTILITIES IS SHOWN OR OBTAINED FROM THIS PLAN MAY BE BASED ON INFORMATION RECEIVED FROM THE RESPECTIVE AUTHORITIES AND ARE NOT GUARANTEED BY THE LAND SURVEYOR. NO RESPONSIBILITY IS IMPLIED OR ASSUMED BY THE LAND SURVEYOR FOR DETERMINING THE EXISTENCE AND LOCATION OF ALL SUCH UTILITIES AND MUST CONTACT THE VARIOUS UTILITY COMPANIES FOR ON SITE INFORMATION PRIOR TO COMMENCEMENT OF ANY OPERATIONS.**

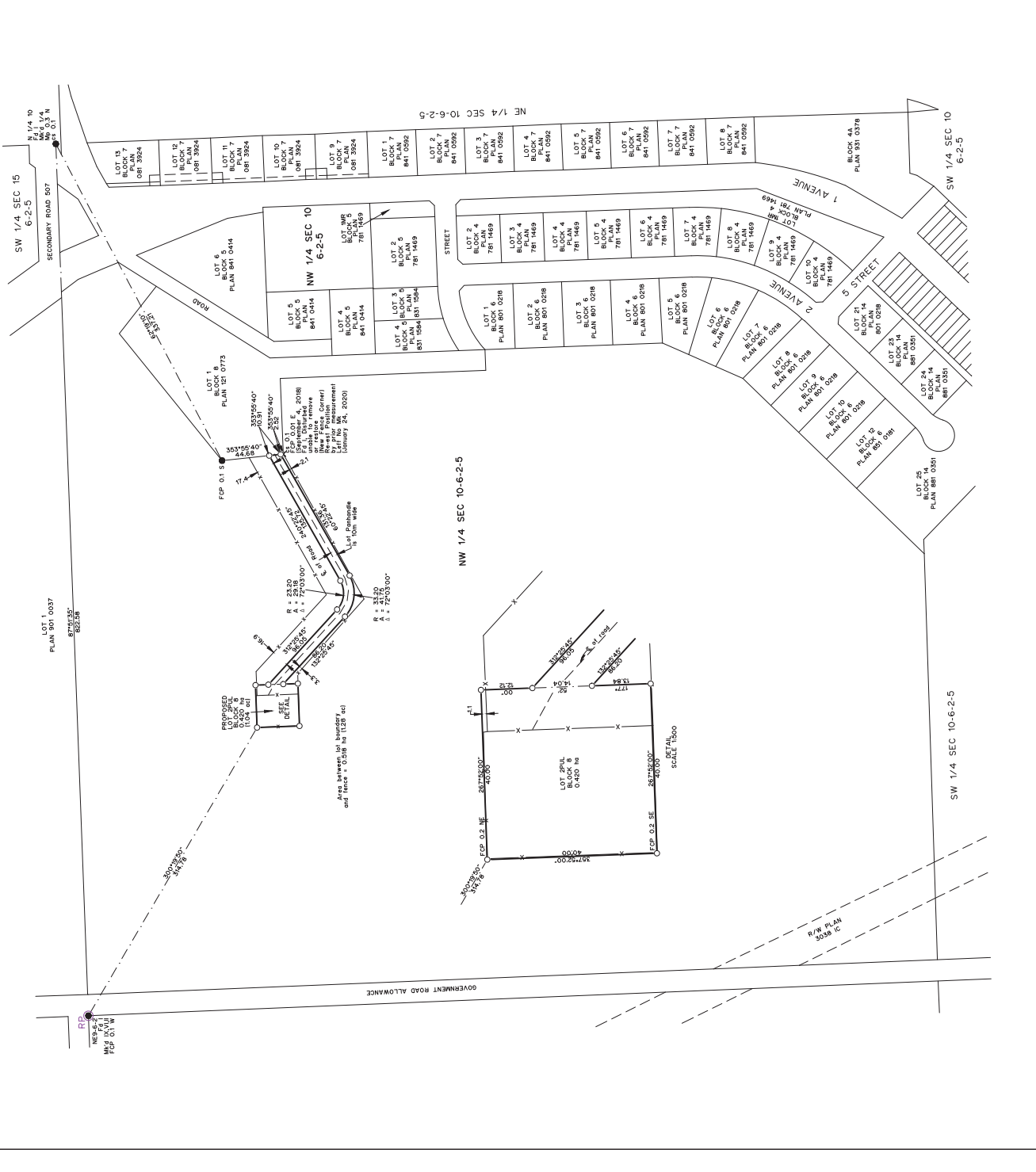
ISSUE	DATE	REVISION	CAD	CHK
1	2020-02-05	REVISED BOUNDARY	D.L.	M.T.
0	2018-10-31	ORIGINAL SUBMISSION	D.L.	M.T.

**MUNICIPAL DISTRICT OF PINCHER CREEK No. 9**

**TENTATIVE PLAN**  
**SHOWING PROPOSED SUBDIVISION OF**  
**PART OF**  
**NW 1/4 SEC 10,**  
**TWP 6, RGE 2, W 5th MER**

**MUNICIPAL DISTRICT OF PINCHER CREEK No. 9**  
**ALBERTA**  
**SUBJECT TO APPROVAL OF THE LOCAL APPROVING AUTHORITY**

SCALE 1:2000 0 20 50 100  
 HAILMA THOMPSON  
 LAND SURVEYORS LTD.  
 20040 Steinfeld Drive S  
 Lethbridge, AB, T1J 2L2  
 Phone: (403) 381-1560  
 Fax: (403) 381-1566  
 JOB H03177  
 DRAWING HG3177



## DRAFT RESOLUTION

Our File: 2020-0-048

April 24, 2020

Troy MacCulloch  
Chief Administrative Officer  
Municipal District of Pincher Creek No. 9  
Box 279  
Pincher Creek Alberta T0K 1W0

Dear Mr. MacCulloch,

**RE: NE1/4 12-7-3-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 Authority should note that comments have not been received from the Municipality of Crownest Pass, M. Burla – ORRSC, Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, AB Environment & Parks - C. Wojtowicz, AB Environment & Parks - J. Wu, AB Environment Operations Infrastructure Branch (OIB), AB Water Boundaries, Historical Resources Administrator and AER.

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  
Senior Planner

GS/jm  
Attachment

# RESOLUTION

2020-0-048

## **M.D. of Pincher Creek No. 9 Agricultural** subdivision of NE1/4 12-7-3-W5M

THAT the Agricultural subdivision of NE1/4 12-7-3-W5M (Certificate of Title No. 191 250 134), to create a 16.97 acre (6.87 ha) parcel and an 83.54 acre (33.81 ha) parcel from two titles of 65.01 acres (26.3 ha) and 34.31 acres (13.9 ha) respectively for agricultural 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 16.97 acres at the market value of \$3,000 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.
3. That the easterly remainder of NE12 7-3 W5M (as depicted in BOA tentative plan 19-14706TE) be consolidated with the Lot 12 Block 1 Plan 1810126 in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.

### **REASONS:**

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. 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.
3. The Subdivision Authority is satisfied that with the consolidation, the proposed subdivision is suitable for the purpose for which the subdivision is intended and meets the intent of the subdivision policies of the municipality's land use bylaw.
4. The subdivision authority, in considering the written submission from Patricia and David Fulton, finds that the concerns are focused future planning processes as required by the Municipal Development Plan and Burmis Lundbreck Corridor Area Structure Plan, and are therefore outside the parameters of the subdivision policies pertaining to the proposal.

### **INFORMATIVE:**

- (a) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (b) 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 Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)

- (c) The payment of the applicable 10% Municipal Reserve on the 16.97 acres must be satisfied using Municipal District of Pincher Creek Policy 422. The MD assessor has provided a land value for the 16.97 acre (6.87 ha) being subdivided at \$3,000 per acre. Using the formula from Policy 422, the amount owing to satisfy Municipal Reserve is approximately \$5,091 with the actual amount to be determined at the finalization stage for Municipal Reserve purposes.
- (d) Telus Communications Inc. has no objections to this subdivision.
- (e) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta. FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services. Please contact FortisAlberta land services at [landserv@fortisalberta.com](mailto:landserv@fortisalberta.com) or by calling (403) 514-4783 for any questions.
- (f) Please be advised that our existing/future gas line(s) on the subject property are protected by way of a Utility Right of Way Agreement, registered as Instrument(s) #771 122 183. Therefore, ATCO Gas has no objection to the proposed subdivision.
- (g) ATCO Transmission high pressure pipelines has no objections. Questions or concerns can be forwarded to [hp.circulations@atco.com](mailto:hp.circulations@atco.com).
- (h) Alberta Health Services – Wade Goin, Executive Officer/Public Health Inspector:  
“In response to the April 8, 2020 request for comment on the above noted subdivision, we have reviewed the information and wish to provide the following comments:  
• Alberta Health Services does not object to this subdivision provided all other pertinent bylaws, regulations and standards are complied with.  
If you require any further information, please call me at 403-562-5030.”
- (i) Alberta Transportation – Leah Olsen, Development/Planning Technologist:  
“Reference your file to create a boundary adjustment agricultural parcel at the above noted location.  
This is merely a boundary adjustment of a previously approved agricultural parcel. The parcel to be created and the remnant land do not front onto the provincial highway system (in this instance Highway 507) and access to the highway will be indirect by way of the local road system. Pursuant to the “Memorandum of Agreement” that was ratified by the Minister of Transportation and the Municipal District of Pincher Creek No. 9 on November 20, 2001, this application is not a required referral.  
Notwithstanding the foregoing, Alberta Transportation has no objections/concerns with the creation of the country residential parcel as proposed and/or favorable consideration by the Municipal District of Pincher Creek No. 9 subdivision authority.”
- (k) Canada Post has no comment.
- (l) Adjacent Landowner – Patricia and David Fulton:  
“We own #18 (Lot 5) in Hidden Valley Estates immediately to the North of the subject application .  
The size, shape and location of the subdivision proposal (“Lot 14”) in this application suggests that it is not a stand-alone proposal. Our concern is that it a precursor – or sets the precedent - for one or more applications in the future to further sub-divide either this lot or the original parcel of land and/or to change in whole, or in part, the current designated use from Agricultural to some other purpose.  
For this reason, as adjacent landowners we are concerned about the reasoning behind this application and therefore the proposed subdivision.

(m) Alberta Environment & Parks – Caylee Knowles, Lands Officer:

“In regards to file number 2020-0-048, (Notice of Application for Subdivision of Land) the Lands division of Alberta Environment & Parks would like to add the following comment:

Please follow recommendations in the “Stepping back from the water” guide and appendices for any new developments near waterbodies.”

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_  
DATE

## NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

**DATE:** April 8, 2020

**Date of Receipt:**

March 18, 2020

**Date of Completeness:**

March 23, 2020

**TO: Landowner:** Sheila Carol Pratchler and Roxann Louise Green

**Agent or Surveyor:** Thomas C. Penner, A.L.S.

**Referral Agencies:** M.D. of Pincher Creek No. 9, Bev Everts, Municipality of Crownest Pass, M. Burla - ORRSC, Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, FortisAlberta, TELUS, ATCO Gas, ATCO Pipelines, AB Health Services - Lethbridge, AB Environment & Parks - C. Wojtowicz, AB Environment & Parks - J. Wu, AB Environment Operations Infrastructure Branch (OIB), AB Water Boundaries, AB Transportation, Historical Resources Administrator, AER, Canada Post

**Adjacent Landowners:** Chad & Dena Kuzyk, Michael & Tuppence Sternloff, David & Patricia Fulton, Glen, Bevan & Maureen Kjearsgaard, Deinise Charlene Wall, Her Majesty The Queen c/o Minister of Transportation

**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. This letter serves as the formal notice that the submitted application has been determined to be complete for the purpose of processing.

In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email or mail no later than **April 27, 2020**. (Please quote our File No. **2020-0-048** in any correspondence with this office).

**File No.:** 2020-0-048

**Legal Description:** NE1/4 12-7-3-W5M

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

**Land Designation:** Agriculture – A  
(Zoning)

**Existing Use:** Agricultural

**Proposed Use:** Agricultural

**# of Lots Created:** 1 (Boundary Line Adjustment)

**Certificate of Title:** 191 250 134



**Meeting Date:** May 5, 2020

*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 16.97 acre (6.87 ha) parcel and an 83.54 acre (33.81 ha) parcel from two titles of 65.01 acres (26.3 ha) and 34.31 acres (13.9 ha) respectively for agricultural use. And to dedicate a small remnant parcel that lies between the Crowsnest River and Road Plan 4449K as an Environmental Reserve lot.

The proposal is to accommodate a property realignment subdivision. The NE12 will retain the existing farmyard, which presently contains a dwelling, barn, shop, and number of other out-buildings. The existing residence is serviced by a septic system and spring fed cistern. Proposed lot 14 will retain some corrals and hay land.

Access to proposed Lot 14 is presently granted from an existing approach to the west off of a developed municipal road allowance. The remainder lot is accessed by several approaches to the north off a developed municipal road allowance.

This property is designated with a Historic Resource Value of 5. As this proposal is for property boundary adjustment, it is exempt from Alberta Culture and Tourism approval per the Land Use Procedures Bulletin entitled *Subdivision Historical Resources Act Compliance*, January 2019.

This proposal complies with the subdivision criteria of the MD of Pincher Creek's Municipal Development Plan, Burmis Lundbreck Corridor Area Structure 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 any conditions of Alberta Transportation shall be established prior to finalization of the application.
7. That the easterly remainder of NE12 7-3 W5M (as depicted in BOA tentative plan 19-14706TE) be consolidated with the Lot 12 Block 1 Plan 1810126 in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.

**RESERVE:**

- The payment of the applicable 10% Municipal Reserve on the 16.97 acres with the actual amount to be determined at the final stage for Municipal Reserve purposes.

**PROCESSING NOTES:** No further comment pending a site inspection.

**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:	File No: 2020-0-048
APPLICATION SUBMISSION	
Date of Receipt: March 18, 2020	Accepted By: <i>[Signature]</i>
Date Deemed Complete: March 23, 2020	Accepted By:

**1. CONTACT INFORMATION**

**Name of Registered Owner of Land to be Subdivided:** Sheila Carol Pritchler, Roxann Louise Green

Mailing Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
Pincher Creek, AB T0K 1W0

Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: S [Redacted] Preferred Method of Correspondence: Email  Mail

**Name of Agent (Person Authorized to act on behalf of Registered Owner):** Sheila Pritchler

Mailing Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_ Preferred Method of Correspondence: Email  Mail

**Name of Surveyor:** Brown Okamura & Associates Ltd - 19-14706

Mailing Address: 2830 - 12 Ave North Lethbridge, AB Postal Code: T1H 5J9

Telephone: 403-329-4688 Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: thomas@bokamura.com Preferred Method of Correspondence: Email  Mail

**2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED**

a.  All/part of the NE ¼ Section 12 Township 7 Range 3 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: 64.71 hectares 26.21 acres

d. Total number of lots to be created: 2 Size of Lot(s): 1 47.75 acres, 1 16.96 acres

e. Rural Address (if applicable): \_\_\_\_\_

f. Certificate of Title No.(s): 191 250 134

**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 1.6 kilometres (1 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? Unknown  Yes  No

**4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED**

Describe:

- a. Existing use of the land agricultural transitional
- b. Proposed use of the land agricultural transitional

**5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED**

- a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) some flat, some hill
- b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.)  
slough, creek, brush
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) rocky with dirt
- 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.  
homestead with house, corrals, barn, shop
- e. Is there a Confined Feeding Operation on the land or within 1.6 kilometres (1 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 potable water spring fed cistern
- b. Proposed source of potable water no change

**7. SEWER SERVICES**

Describe:

- a. Existing sewage disposal: Type septic tank and field Year Installed 1974
- b. Proposed sewage disposal: Type no change

**8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF**

I, Sheila Pratchler 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: S Pratchler Date: Mar 6, 2020

**9. RIGHT OF ENTRY**

I, Sheila Pratchler do  / do not  (please check one) authorize representatives of the Oldman River Regional Service Commission or the municipality to enter my land for the purpose of conducting a site inspection and evaluation in connection with my application for subdivision. This right is granted pursuant to Section 653(2) of the Municipal Government Act.

Sheila Pratchler  
Signature of Registered Owner(s)



LAND TITLE CERTIFICATE

S LINC SHORT LEGAL TITLE NUMBER
0037 834 231 5;3;7;12;NE 191 250 134

LEGAL DESCRIPTION

MERIDIAN 5 RANGE 3 TOWNSHIP 7
SECTION 12
QUARTER NORTH EAST
CONTAINING 64.9 HECTARES (160.40 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

FIRSTLY:

THAT PORTION WHICH LIES WEST OF THE CROWNEST RIVER
CONTAINING 0.405 HECTARES (1.00 ACRE) MORE OR LESS

SECONDLY:

Table with 5 columns: PLAN, NUMBER, HECTARES, ACRES, MORE OR LESS. Rows include ROAD, SUBDIVISION, and DESCRIPTIVE entries.

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 191 250 133

Table with 5 columns: REGISTRATION, DATE (DMY), REGISTERED OWNER(S) DOCUMENT TYPE, VALUE, CONSIDERATION. Row 1: 191 250 134, 09/12/2019, TRANSFER OF LAND, SEE INSTRUMENT

OWNERS

SHEILA CAROL PRATCHLER

ROXANN LOUISE GREEN



-----  
ENCUMBRANCES, LIENS & INTERESTS  
-----

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
771 122 183	06/09/1977	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.
931 129 883	07/06/1993	UTILITY RIGHT OF WAY GRANTEE - AGT LIMITED. AS TO PORTION OR PLAN:9211953 TAKES PRIORITY OF CAVEAT 911264766 REGISTERED 22/11/91
971 357 256	01/12/1997	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9. BOX 279, PINCHER CREEK ALBERTA T0K1W0
971 357 260	01/12/1997	CAVEAT RE : DEFERRED RESERVE CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9. BOX 279, PINCHER CREEK ALBERTA T0K1W0
191 250 135	09/12/2019	CAVEAT RE : PURCHASERS INTEREST CAVEATOR - SHEILA CAROL PRATCHLER CAVEATOR - DAVID LEONARD GREEN CAVEATOR - ROXANN LOUISE GREEN ALL OF : THE OFFICES OF DAVIDSON & WILLIAMS LLP 501 4TH STREET SOUTH PO BOX 518 LETHBRIDGE ALBERTA T1J3Z4 AGENT - HERBERT R BESWICK

TOTAL INSTRUMENTS: 005

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 10 DAY OF MARCH,  
2020 AT 08:21 A.M.

ORDER NUMBER: 38980459

CUSTOMER FILE NUMBER:

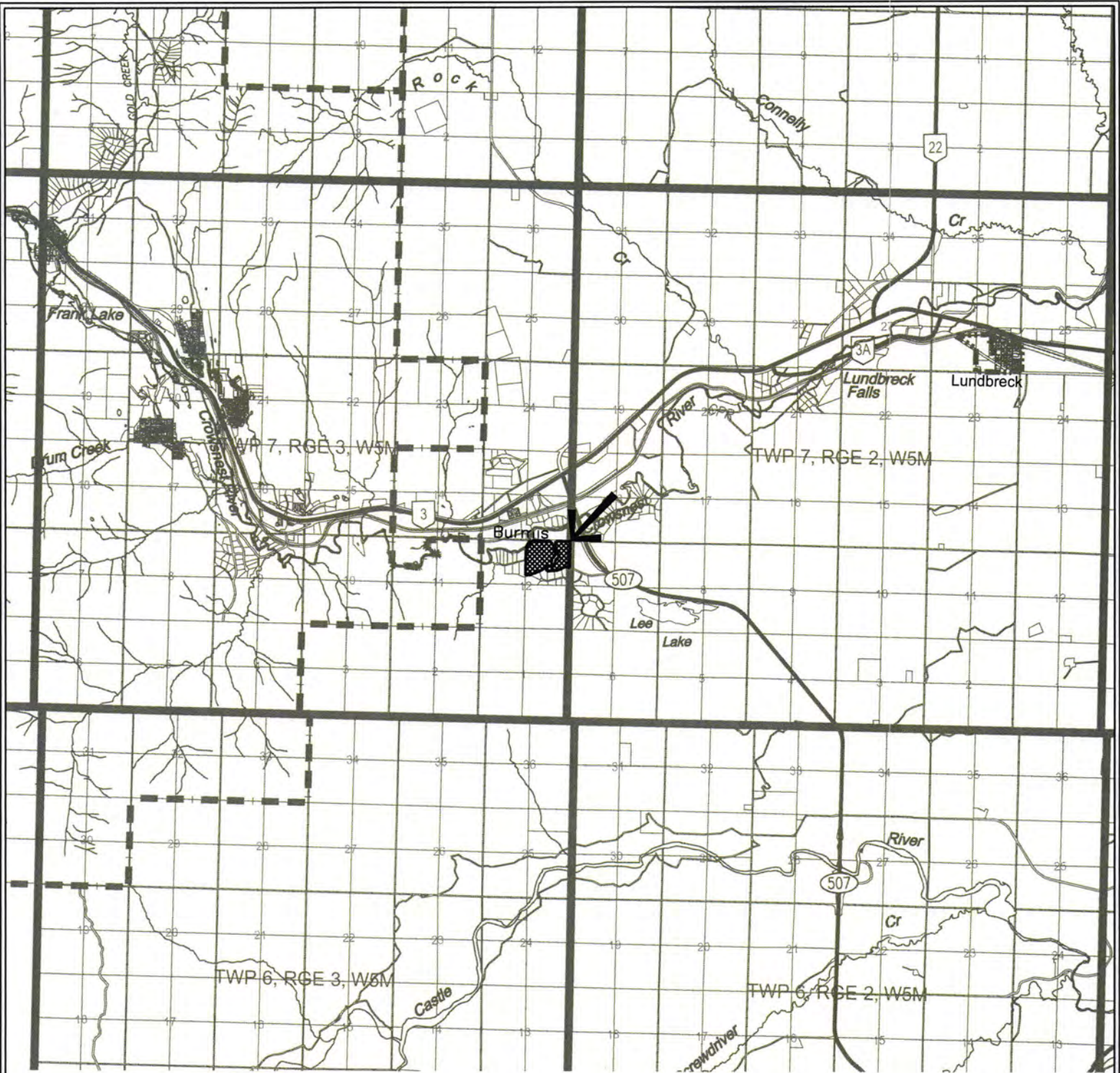


\*END OF CERTIFICATE\*

---

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

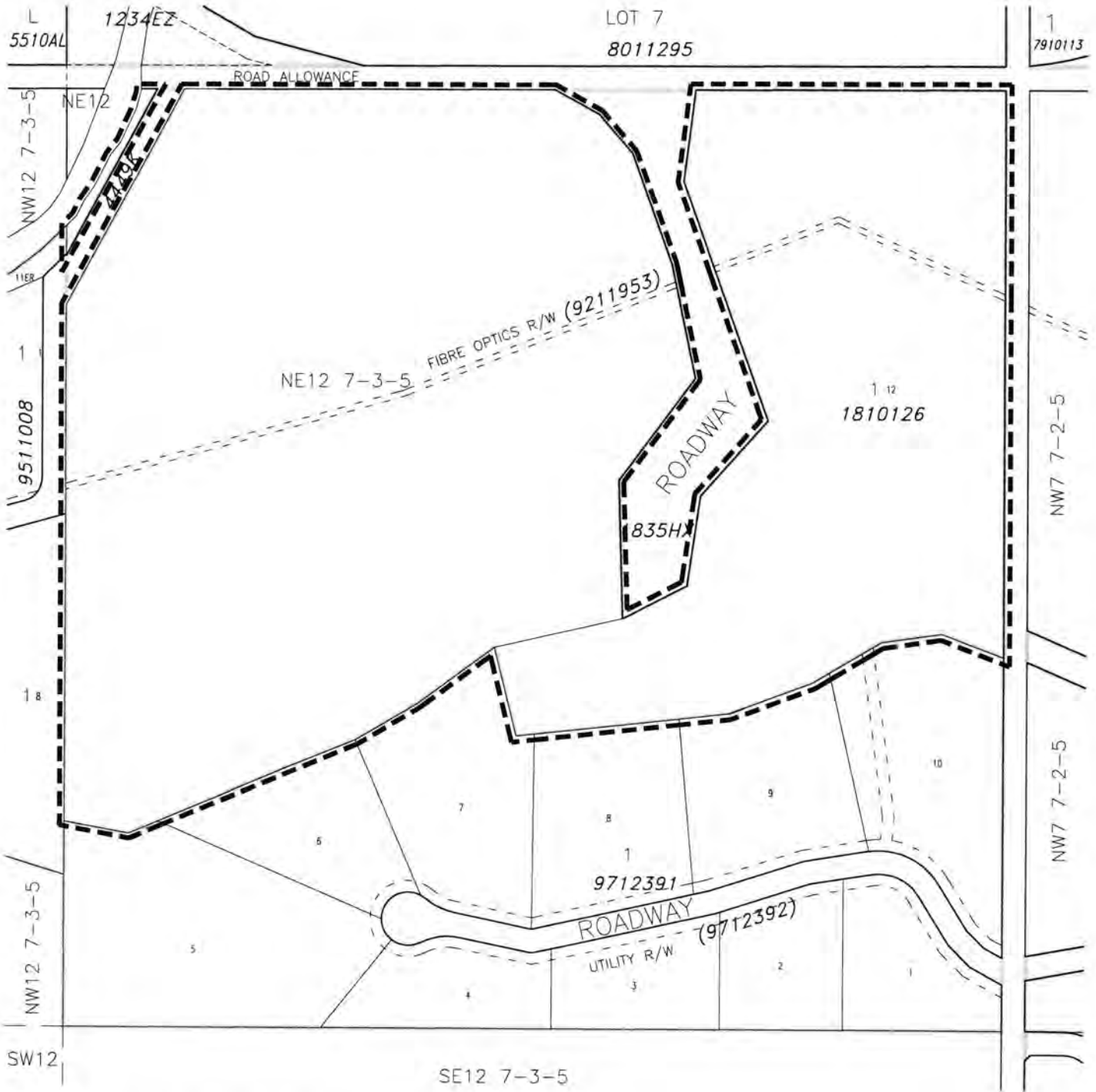
THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
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OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



**SUBDIVISION LOCATION SKETCH**  
**LOT 12; BLOCK 1; PLAN 1810126 AND NE12 7-3-5**  
**WITHIN NE 1/4 SEC 12, TWP 7, RGE 3, W 5 M**  
**MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9**  
**DATE: MARCH 26, 2020**  
**FILE No: 2020-0-048**

MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 2105 19th AVENUE NORTH, LETHBRIDGE, AB T1Y 0B6  
 NOT RESPONSIBLE FOR ERRORS OR OMISSIONS





**SUBDIVISION SKETCH - EXISTING**

LOT 12; BLOCK 1; PLAN 1810126 AND NE12 7-3-5

WITHIN NE 1/4 SEC 12, TWP 7, RGE 3, W 5 M

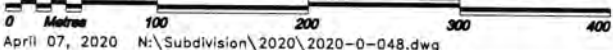
MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9

DATE: MARCH 26, 2020

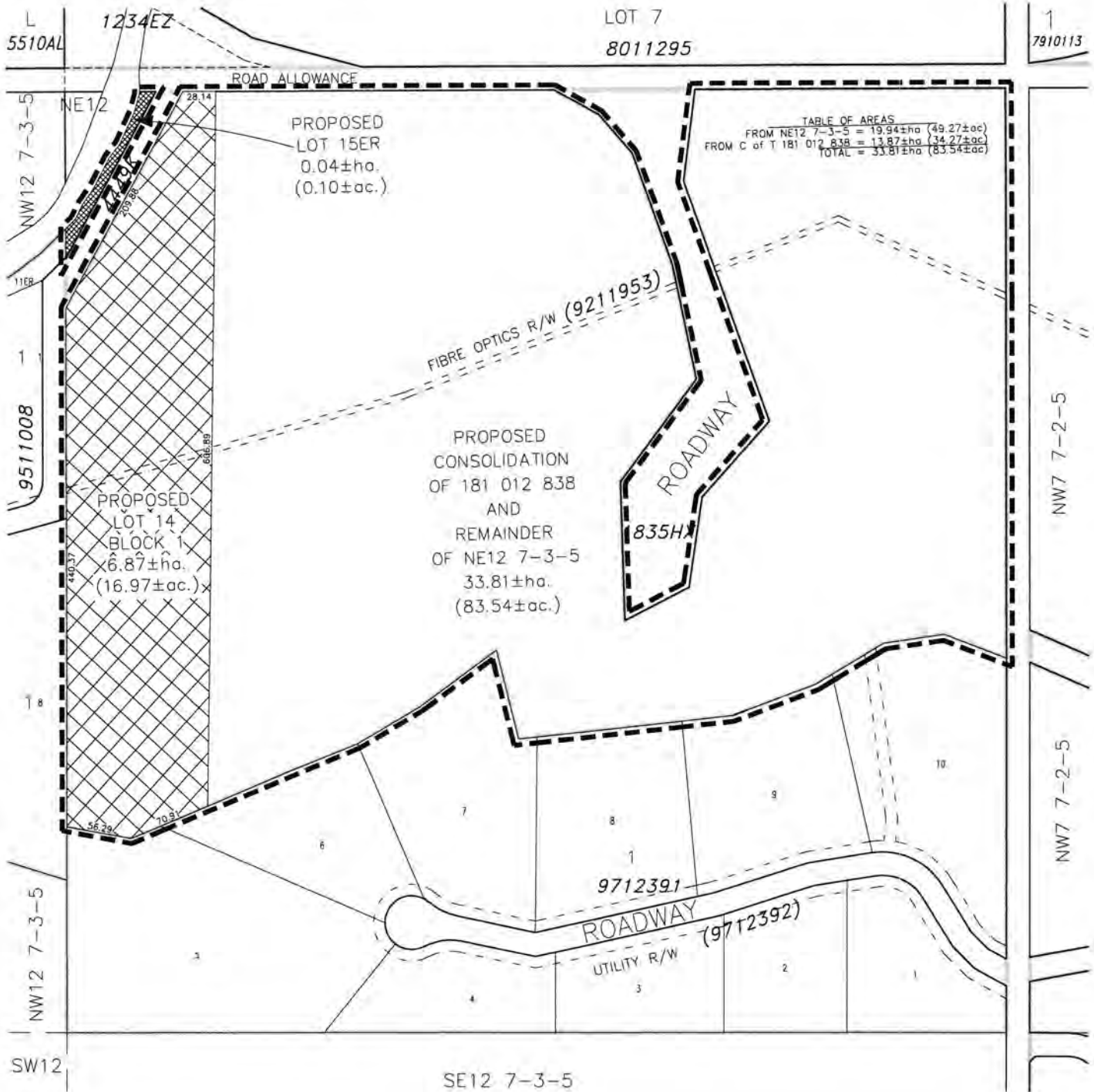
FILE No: 2020-0-048



OLDMAN RIVER REGIONAL SERVICES COMMISSION







**SUBDIVISION SKETCH**  
**LOT 12; BLOCK 1; PLAN 1810126 AND NE12 7-3-5**  
**WITHIN NE 1/4 SEC 12, TWP 7, RGE 3, W 5 M**  
**MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9**  
**DATE: MARCH 26, 2020**  
**FILE No: 2020-0-048**





