

**Agenda**  
**Municipal District of Pincher Creek No. 9**  
**Subdivision Authority Meeting**  
**June 2, 2020**  
**5:30 pm**

**1. Adoption of Agenda**

**2. Adoption of Minutes**

- a. Minutes of May 5, 2020

**3. Closed Meeting Session**

**4. Unfinished Business**

- a. Subdivision Application No. 2020-0-048  
Sheila Carol Pratchler and Roxann Louise Green  
NE1/4 12-7-3 W5M

**5. Subdivision Application**

- a. Subdivision Application No. 2020-0-035  
Lloyd Winston Sproule, Church of God in Christ Mennonite Pincher Creek Alberta  
Block 1, Plan 0013264 and a part of SW1/4 18-6-29-W4M
- b. Subdivision Application No. 2020-0-056  
Curtis Lammers and Jackie Sproule  
W1/2 31-5-28-W4M
- c. Subdivision Application No. 2020-0-060  
Hutterian Brethren Church of Livingstone, Derek M. Smith  
NW1/4 36-8-2-W5M
- d. Subdivision Application No. 2020-0-065  
1140540 Alberta Ltd.  
NW1/4 25-8-1-W5M

**6. New Business**

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

**8. Adjournment**

**Meeting Minutes of the Subdivision Authority  
Tuesday, May 5, 2020 6:00 pm  
MD of Pincher Creek No. 9 Administration Building**

**IN ATTENDANCE**

Members: Reeve Brian Hammond, Councillors Quentin Stevick, Rick Lemire, Bev Everts and Terry Yagos

Staff: Director of Development and Community Services Roland Milligan, Financial Services and Planning Clerk Joyce Mackenzie-Grieve

Planning  
Advisors: ORRSC, Senior Planner Gavin Scott

**COMMENCEMENT**

Reeve Brian Hammond called the meeting to order, the time being 6:07 pm.

**1. ADOPTION OF AGENDA**

Councillor Bev Everts 20/001

Moved that the Subdivision Authority Agenda for May 5, 2020, be approved as presented.

Carried

**2. ADOPTION OF MINUTES**

Councillor Terry Yagos 20/002

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

Carried

**3. CLOSED MEETING SESSION**

Councillor Quentin Stevick 20/003

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 6:07 pm.

Carried

Councillor Bev Everts 20/004

Moved that the Subdivision Authority open the meeting to the public, the time being 6:29 pm.

Carried

**4. UNFINISHED BUSINESS**

MINUTES  
SUBDIVISION AUTHORITY  
Municipal District of Pincher Creek No. 9  
May 5, 2020

Nil

**5. SUBDIVISION APPLICATIONS**

- a. Subdivision Application No. 2020-0-044  
Steven John Oczkowski, Rhonda Lee Oczkowski, Carter John Oczkowski  
NW1/4 10-6-2-W5M

Councillor Terry Yagos

20/005

Moved that the 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.

Carried

**MINUTES**  
**SUBDIVISION AUTHORITY**  
**Municipal District of Pincher Creek No. 9**  
**May 5, 2020**

- b. Subdivision Application No. 2020-0-048  
Sheila Carol Pratchler and Roxann Louise Green  
NE1/4 12-7-3-W5M

Councillor Terry Yagos

20/006

Moved 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 TABLED FOR FURTHER INFORMATION.

Carried

**6. NEW BUSINESS**

Nil

- 7. NEXT MEETING** – Tuesday, June 2, 2020; 6:00 pm.

**8. ADJOURNMENT**

Councillor Terry Yagos

20/007

Moved that the meeting adjourn, the time being 6:34 pm.

Carried

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Brian Hammond, Chair  
Subdivision Authority

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Roland Milligan, Secretary  
Subdivision Authority



## DRAFT RESOLUTION (AMENDED)

Our File: 2020-0-048

May 29, 2020

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

Dear Mr. MacCulloch,

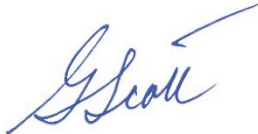
**RE: NE1/4 12-7-3-W5M / M.D. of Pincher Creek No. 9**

With regard to the subdivision application noted above, please find attached an amended 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.
4. That 7.5m of land on the east side of Plan 4449K (as depicted in BOA sketch plan file 20-14903SK) be dedicated as road widening.
5. That proposed Lot 15ER be registered as roadway on a Road Plan.
6. That a road closure bylaw be prepared for that portion of Government Road Allowance with the NE13 7-3 W5M as depicted in BOA sketch plan file 20-14903SK , with the bylaw being approved and adopted by the MD of Pincher Creek and subsequently consented to by the Minister of Transportation, prior to final registration of the subdivision. And that the portion of closed road be consolidated to the adjacent property 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 the Municipal Development Plan, the Burmis Lundbreck Corridor Area Structure 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.
5. The proposed subdivision complies with the M.D. of Pincher Creek subdivision policy R.21.

**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:

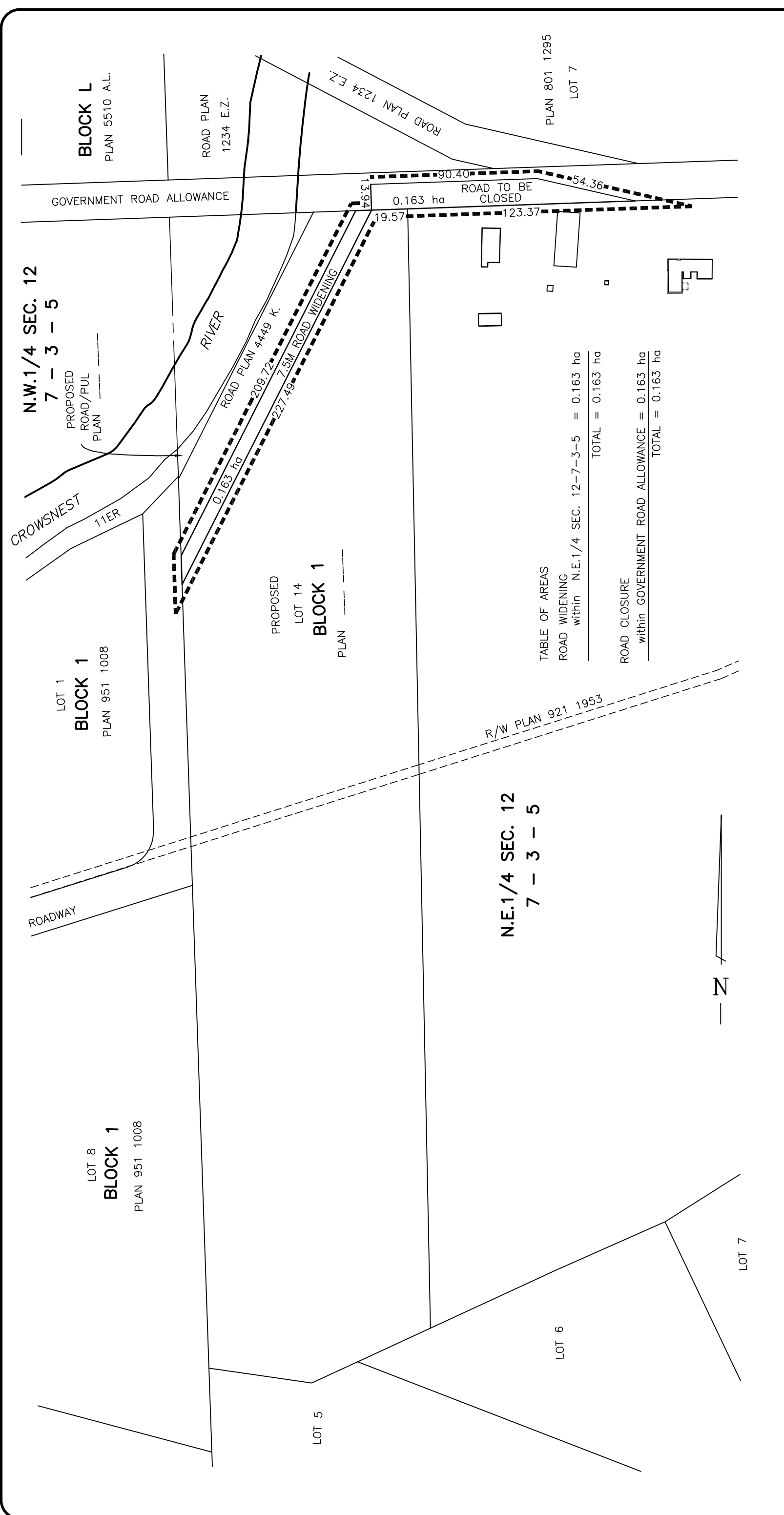
Please follow recommendations in the “Stepping back from the water” guide and appendices for any new developments near waterbodies.”

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CHAIRMAN

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DATE



N.W.1/4 SEC. 12  
7 - 3 - 5

CROWSNEST  
11ER

LOT 1  
**BLOCK 1**  
PLAN 951 1008

LOT 8  
**BLOCK 1**  
PLAN 951 1008

PROPOSED  
LOT 14  
**BLOCK 1**  
PLAN

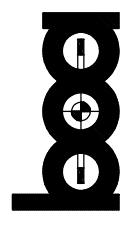
N.E.1/4 SEC. 12  
7 - 3 - 5

TABLE OF AREAS  
ROAD WIDENING  
within N.E.1/4 SEC. 12-7-3-5 = 0.163 ha  
TOTAL = 0.163 ha

ROAD CLOSURE  
within GOVERNMENT ROAD ALLOWANCE = 0.163 ha  
TOTAL = 0.163 ha



LOT 7



**brown okamura & associates ltd.**  
Professional Surveyors  
2830 - 12 Avenue North, Lethbridge, Alberta

APPROVED	DRAWN MJ	DATE MAY 28/20
	CHECKED TCP	JOB 20-14903
	SCALE	DRAWING 20-14903SK

**M.D. OF PINCHER CREEK NO.9**

SKETCH PLAN SHOWING PROPOSED ROAD WIDENING  
AND ROAD CLOSURE  
of part of  
GOVERNMENT ROAD ALLOWANCE  
within  
N.E. 1/4 SEC. 13, TWP. 7. RGE. 3, W.5 M.

M.D. of Pincher Creek No.9

NO.	REVISION	DATE	BY

NOTE : Portion to be approved is outlined thus ----- and contains approximately 0.326 ha. Distances are in metres and decimal parts thereof. Distances and areas are approximate and are subject to change upon final survey.

## 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: <u>2020-0-048</u>
APPLICATION SUBMISSION	
Date of Receipt: <u>March 18, 2020</u>	Accepted By: 
Date Deemed Complete: <u>March 23, 2020</u>	Accepted By: 

**1. CONTACT INFORMATION**

**Name of Registered Owner of Land to be Subdivided:** Sheila Carol Pratchler, Roxann Louise Green  
**Mailing Address:** Box 296 Lundbreck, AB T0K 1H0, Box 2233, Pincher Creek, AB T0K 1W0 **Postal Code:** \_\_\_\_\_  
**Telephone:** \_\_\_\_\_ **Cell:** 403-632-8208 **Fax:** \_\_\_\_\_  
**Email:** shpratchler@gmail.com, ro-lee@shaw.ca **Preferred Method of Correspondence:** Email  Mail   
**Name of Agent (Person Authorized to act on behalf of Registered Owner):** Sheila Pratchler  
**Mailing Address:** P.O. Box 296 Lundbreck, AB **Postal Code:** T0K 1H0  
**Telephone:** 403-632-8208 **Cell:** \_\_\_\_\_ **Fax:** \_\_\_\_\_  
**Email:** shpratchler@gmail.com **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  $\frac{1}{4}$  Section 12 Township 7 Range 3 West of 5 Meridian (e.g. SE $\frac{1}{4}$  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:

PLAN	NUMBER	HECTARES	ACRES	MORE OR LESS
ROAD	4449K	0.372	0.92	
ROAD	1835HX	3.77	9.32	
SUBDIVISION	9712391	20.94	51.74	
DESCRIPTIVE	1211525	11.35	28.05	
SUBDIVISION	1810126	1.268	3.13	

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 191 250 133

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REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
191 250 134	09/12/2019	TRANSFER OF LAND	\$550,000	SEE INSTRUMENT

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OWNERS

SHEILA CAROL PRATCHLER  
OF BOX 296  
LUNDBRECK  
ALBERTA T0K 1H0  
AS TO AN UNDIVIDED 3/4 INTEREST

ROXANN LOUISE GREEN  
OF PO BOX 2233  
PINCHER CREEK

( CONTINUED )

ALBERTA T0K 1W0  
AS TO AN UNDIVIDED 1/4 INTEREST

-----  
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:



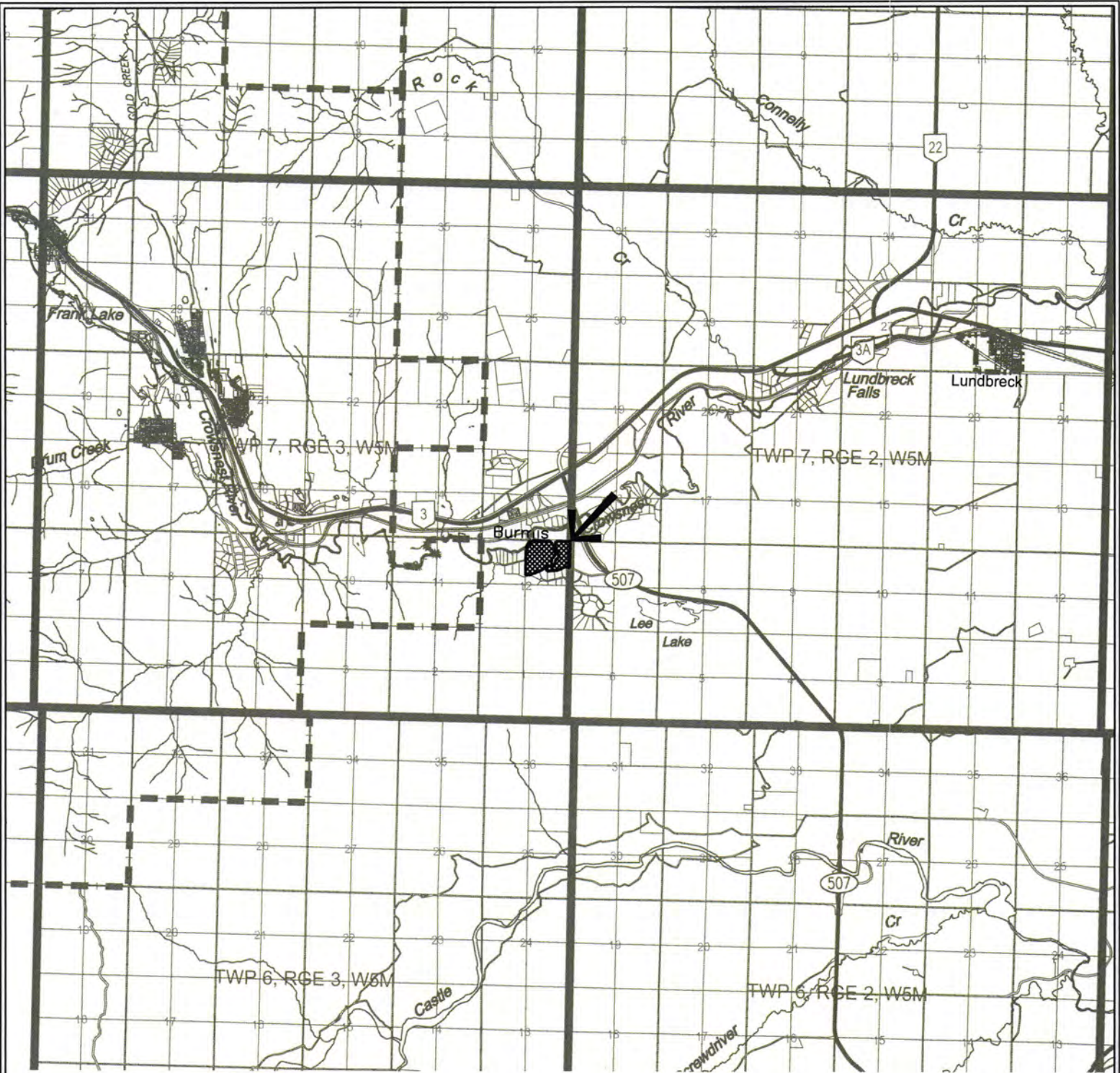
\*END OF CERTIFICATE\*

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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).

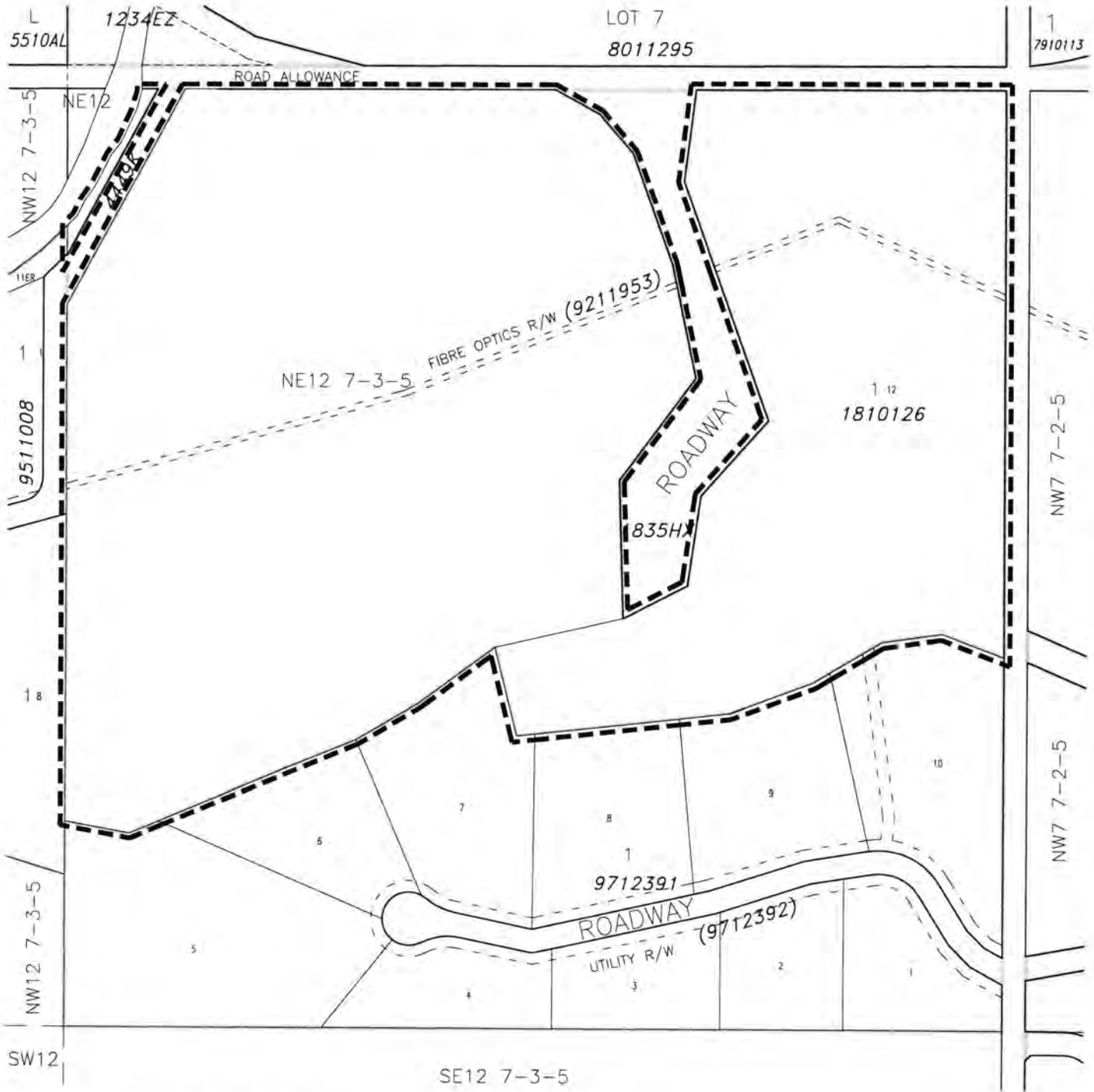




**SUBDIVISION LOCATION SKETCH**  
**LOT 12; BLOCK 1; PLAN 1810126 AND NE12 7-3-5**  
**WITHIN NE 1/4 SEC 12, TWP 7, RGE 3, W 5 M**  
**MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9**  
**DATE: MARCH 26, 2020**  
**FILE No: 2020-0-048**

MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 2105 19th AVENUE NORTH, LETHBRIDGE, AB T1V 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

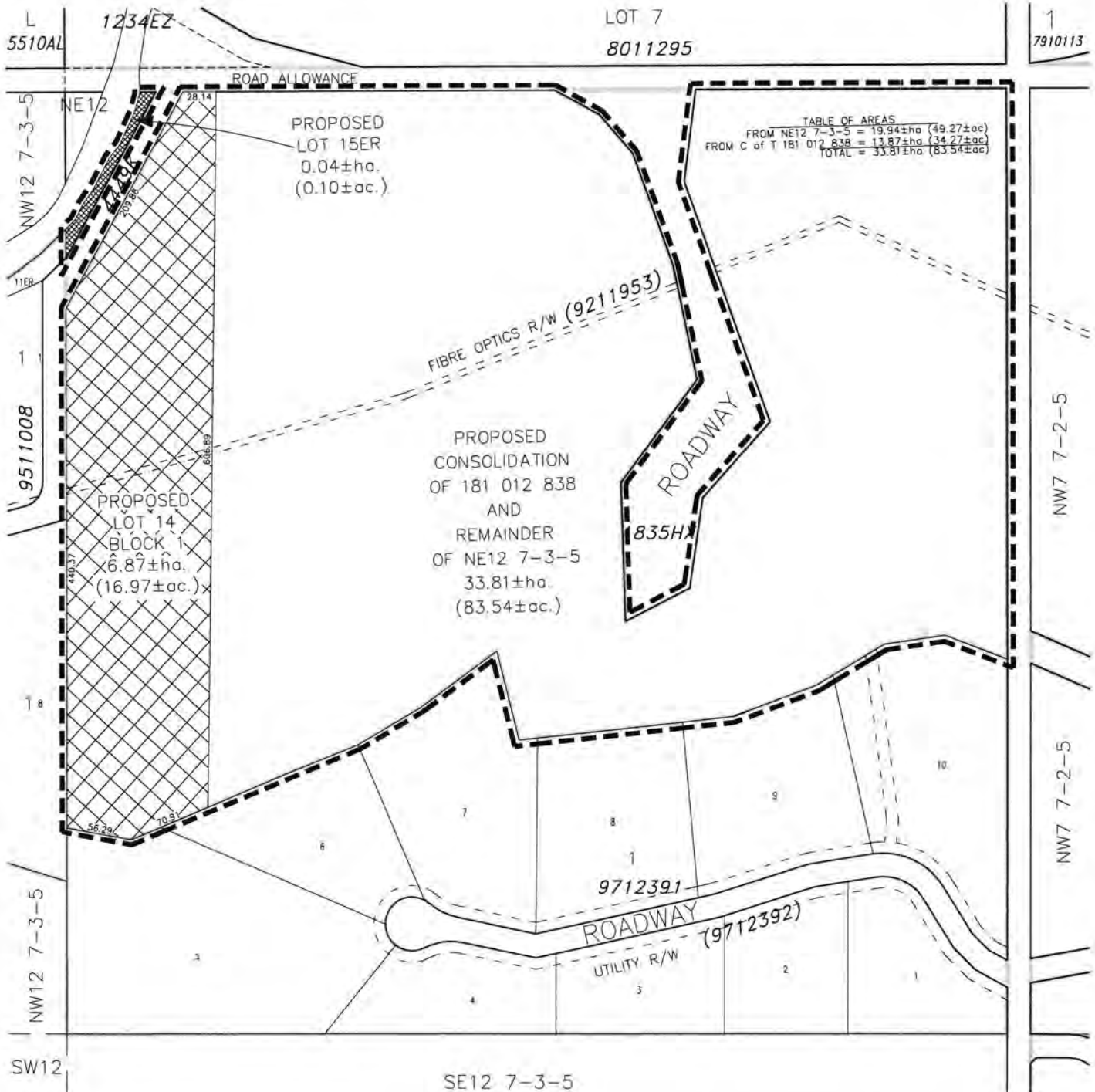
FILE No: 2020-0-048



0 Metres 100 200 300 400



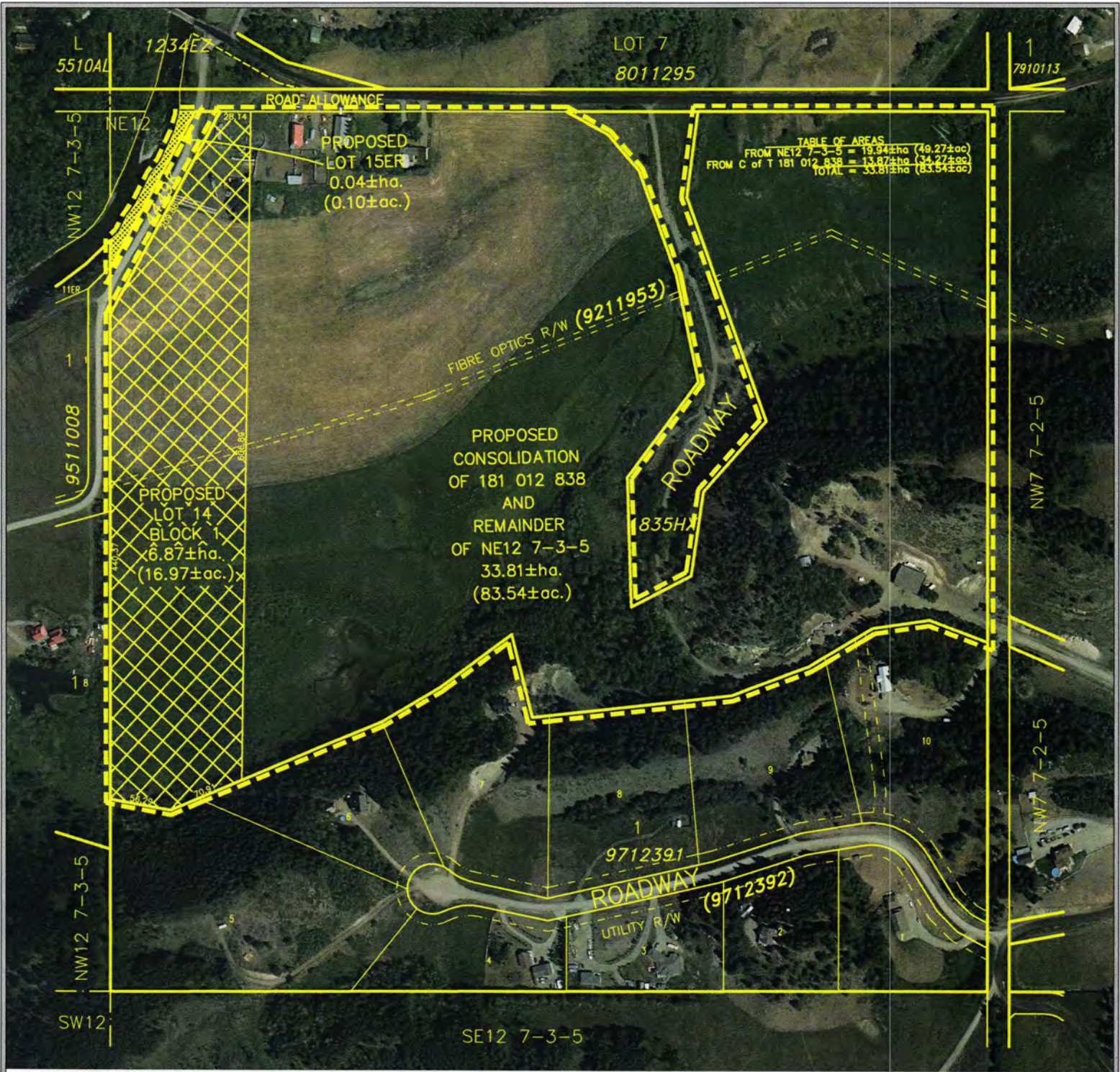




**SUBDIVISION SKETCH**  
**LOT 12; BLOCK 1; PLAN 1810126 AND NE12 7-3-5**  
**WITHIN NE 1/4 SEC 12, TWP 7, RGE 3, W 5 M**  
**MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9**  
**DATE: MARCH 26, 2020**  
**FILE No: 2020-0-048**



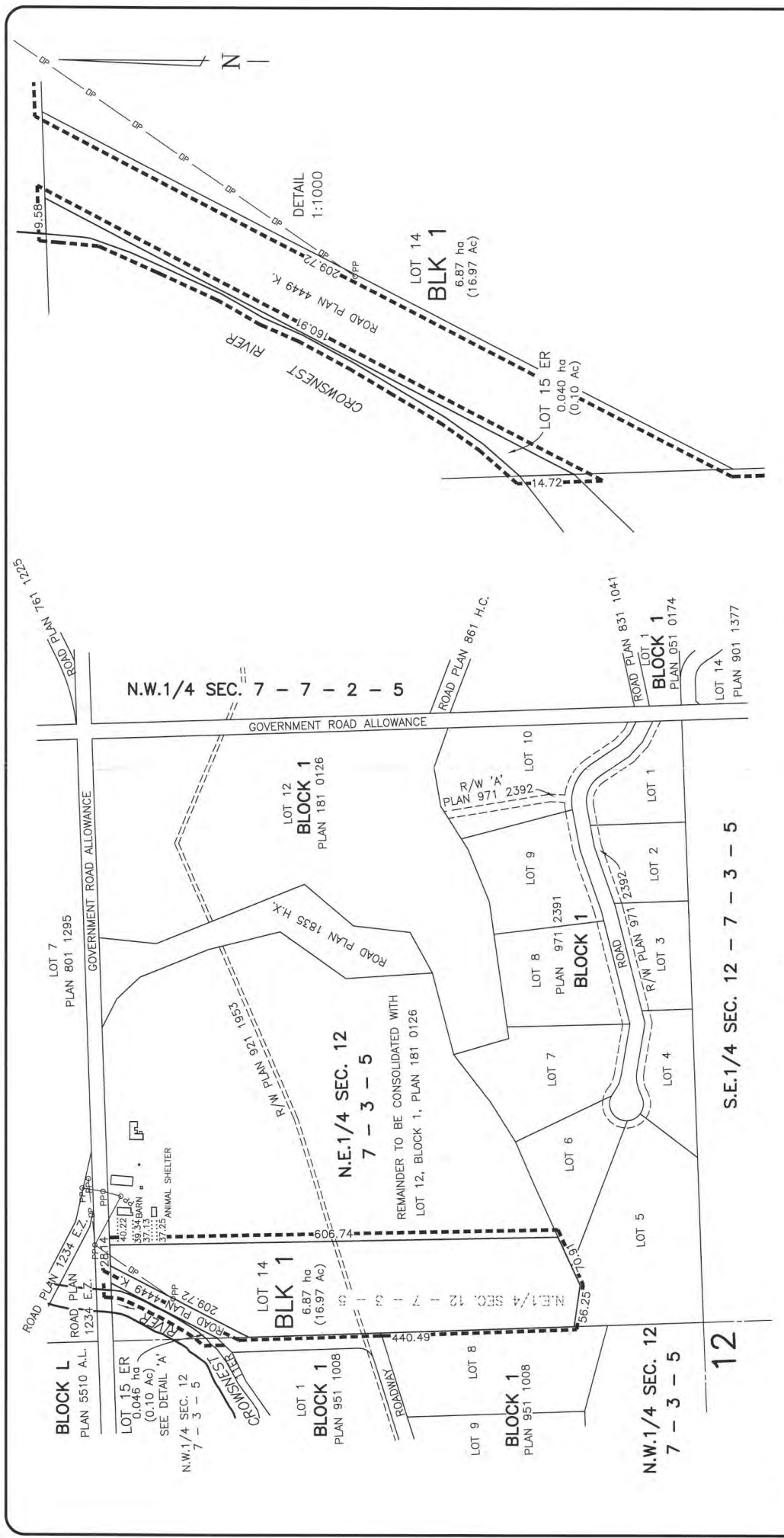




**SUBDIVISION SKETCH**  
 LOT 12; BLOCK 1; PLAN 1810126 AND NE12 7-3-5  
 WITHIN NE 1/4 SEC 12, TWP 7, RGE 3, W 5 M  
 MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9  
 DATE: MARCH 26, 2020  
 FILE No: 2020-0-048







**bood** brown okamura & associates ltd.  
Professional Surveyors  
2830 - 12 Avenue North, Lethbridge, Alberta

APPROVED	DRAWN MJ	DATE MAR 12/20
	CHECKED TCP	JOB 19-14706
	SCALE	DRAWING 19-14706ITE
T.C. Penner, A.L.S.		1:5000

**ESTATE OF LEONARD GREEN**

TENTATIVE PLAN SHOWING SUBDIVISION  
of part of  
N.E.1/4 SEC. 12, TWP. 7, RGE. 3, W.5 M.

M.D. of Pincher Creek No.9

NO.	REVISION	DATE	BY

NOTE : Portion to be approved is outlined thus ----- and contains approximately 76.91 ha.  
Distances are in metres and decimal parts thereof.  
Utility Pole shown thus PPO  
Overhead utility line shown thus ----- DP -----  
Distances and areas are approximate and are subject to change upon final survey.

## DRAFT RESOLUTION

Our File: 2020-0-035

May 20, 2020

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

Dear Mr. MacCulloch,

**RE: Block 1, Plan 0013264 and a part of SW1/4 18-6-29-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 Authority should note that comments have not been received from the Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, Altogas Utilities Inc., AB Health Services - South Zone, AB Environment & Parks - J. Wu 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

2020-0-035

**M.D. of Pincher Creek No. 9 Public Institutional** subdivision of Block 1, Plan 0013264 and a part of SW1/4 18-6-29-W4M

THAT the Public Institutional subdivision of Block 1, Plan 0013264 and a part of SW1/4 18-6-29-W4M (Certificate of Title No. 001 362 235, 121 103 538), to create an 8.96 acre (3.63 ha) parcel from two titles of 6.99 acres (2.83 ha) and 152.02 acres (61.52 ha) respectively, for public institutional use; BE APPROVED subject to the following:

## CONDITIONS:

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 1.97 acres at the market value of \$2,500 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 1.97 acres of SW18 6-29 W4M be consolidated with Block 1 Plan 0013264 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. That in accordance with Municipal Development Plan Part III A. a waiver of the agricultural subdivision policies is granted to allow the subdivision.

## INFORMATIVE:

- (a) The payment of the applicable 10% Municipal Reserve on the 1.97 acres must be satisfied using Municipal District of Pincher Creek Policy 422. The MD assessor has provided a land value for the 1.97 acre (0.79 ha) being subdivided at \$2,500 per acre. Using the formula from Policy 422, the amount owing to satisfy Municipal Reserve is approximately \$492.50 with the actual amount to be determined at the finalization stage for Municipal Reserve purposes.
- (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 Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) TELUS Communications Inc. has no objections to the above mentioned circulation.
- (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) Alberta Transportation – Leah Olsen, Development/Planning Technologist:

“Reference your file to create a boundary adjustment public institutional parcel at the above noted location.

This is merely a boundary adjustment of a previously approved public institutional parcel. Given this, for all intents and purposes, this application is within the spirit and intent of Section 14(b) 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 adjacent properties in a manner that will not compromise the integrity and associated safe operational use or future expansion of the provincial highway system.

As this application complies with said Section 14(b) and access to the proposed parcel and the remnant lands is to be by a means other than a highway, Section 15(3) of the regulation applies.

Notwithstanding the foregoing, the applicant would also 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 centre 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 and, as such, any development would require the benefit of a permit from Alberta Transportation. To ensure that any future highway expansion plans are not unduly compromised, minimum setbacks would be identified and invoked as condition of approval such that an adequate buffer would be maintained alongside the highway and any other highway related issues could be appropriately addressed. The applicant could contact Alberta Transportation through 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.”

(g) Canada Post has no comment at this time.

---

CHAIRMAN

---

DATE

## NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

**DATE:** April 28, 2020

**Date of Receipt:**

April 16, 2020

**Date of Completeness:**

April 17, 2020

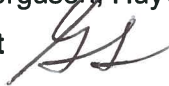
**TO: Landowners:** Lloyd Winston Sproule, Church of God in Christ Mennonite Pincher Creek Alberta

**Agent or Surveyor:** Thomas C. Penner, 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, Altagas Utilities Inc., AB Health Services - South Zone, AB Environment & Parks - J. Wu, AB Transportation, AER, Canada Post

**Adjacent Landowners:** Glen Ferguson, Huyvonto Farm Ltd., Kelly Toews

**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 **May 19, 2020**. (Please quote our File No. **2020-0-035** in any correspondence with this office).

**File No.:** 2020-0-035

**Legal Description:** Block 1, Plan 0013264 and a part of SW1/4 18-6-29-W4M

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

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

**Existing Use:** Agricultural

**Proposed Use:** Public Institutional

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

**Certificate of Title:** 001 362 235, 121 103 538

**Meeting Date:** June 2, 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 an 8.96 acre (3.63 ha) parcel from two titles of 6.99 acres (2.83 ha) and 152.02 acres (61.52 ha) respectively, for public institutional use.

The proposal is to accommodate the subdivision of an existing church and its facilities. Access to the lot is presently granted from an existing approach to the west, off of a developed municipal road allowance near Highway 507. The existing buildings are serviced by a septic system and domestic water. This church site was originally subdivided as a 3 acre site in 1969. Four acres were added in two separate 2 acre approvals in 1985 and 2000.

The current policies for subdivision do not account for public and institutional uses. It is necessary to waive the policy provisions for subdivision to allow this proposal to move forward. 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 in accordance with Municipal Development Plan Part III A. a waiver of the agricultural subdivision policies be considered to allow the subdivision.
8. That the 1.97 acres of SW18 6-29 W4M be consolidated with Block 1 Plan 0013264 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 1.97 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: \$1040.00	File No: 2020-0-035
APPLICATION SUBMISSION	
Date of Receipt: April 16, 2020	Received By: <i>[Signature]</i>
Date Deemed Complete: Apr 17/20	Accepted By: <i>[Signature]</i>

**1. CONTACT INFORMATION**

Name of Registered Owner of Land to be Subdivided: Lloyd Winston Sproule

Mailing Address: [Redacted] City/Town: Pincher Creek

Postal Code: T0K 1W0 Telephone: [Redacted] Cell: \_\_\_\_\_

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

Name of Agent (Person Authorized to act on behalf of Registered Owner): \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City/Town: \_\_\_\_\_

Postal Code: \_\_\_\_\_ Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_

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

Name of Surveyor: Thomas C. Penner, ALS brown okamura & associates ltd.

Mailing Address: 2830 - 12 Avenue North City/Town: Lethbridge

Postal Code: T1H 5J9 Telephone: 403-329-4688 ext. 128 Cell: \_\_\_\_\_

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

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

a. All/part of the SW ¼ Section 18 Township 6 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: 61.5 hectares 152.02 acres

d. Total number of lots to be created: 1 Size of Lot(s): 0.80 Ha (1.97 Ac) to be consolidated with Block 1

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

f. Certificate of Title No.(s): 121 103 538

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

a. The land is located in the municipality of M.D. 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. 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? Unknown  Yes  No



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

Describe:

- a. Existing use of the land Crop
- b. Proposed use of the land to be consolidated with Church parcel

**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.) Unknown
- 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.  
\_\_\_\_\_
- 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**

- a. Describe existing source of potable water N/A
- b. Describe proposed source of potable water N/A

**7. SEWER SERVICES**

- a. Describe existing sewage disposal: Type N/A Year Installed \_\_\_\_\_
- b. Describe proposed sewage disposal: Type N/A

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

I, Thomas C. Penner, ALS (boa file: 20-14801) 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: Feb 25/20

**9. RIGHT OF ENTRY**

I, \_\_\_\_\_ 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.

\_\_\_\_\_  
Signature of Registered Owner(s)

Personal information collected on this form is collected in accordance with Section 653 of the Alberta Municipal Government Act and Section 33(c) of the Freedom of Information and Protection of Privacy Act. Please note that such information may be made public. If you have any questions about the information being collected, contact the Oldman River Regional Services Commission FOIP Coordinator at 403-329-1344.



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

Describe:

- a. Existing use of the land Crop
- b. Proposed use of the land to be consolidated with Church parcel

**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.) Unknown
- 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.
- 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**

- a. Describe existing source of potable water N/A
- b. Describe proposed source of potable water N/A

**7. SEWER SERVICES**

- a. Describe existing sewage disposal: Type N/A Year Installed \_\_\_\_\_
- b. Describe proposed sewage disposal: Type N/A

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Thomas C. Penner, ALS (boa file: 20-14801) 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: [Signature] Date: Feb 25/20

**9. RIGHT OF ENTRY**

I, Lloyd Sproule 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.

[Signature]  
Signature of Registered Owner(s)

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LAND TITLE CERTIFICATE

S	LINC	SHORT LEGAL	TITLE NUMBER
	0028 687 283	4;29;6;18;SW	121 103 538
	0021 534 319	4;29;6;18;SE	

LEGAL DESCRIPTION

FIRST

MERIDIAN 4 RANGE 29 TOWNSHIP 6  
SECTION 18

QUARTER SOUTH WEST

CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS  
EXCEPTING THEREOUT:

2.08 HECTARES (5.13 ACRES) MORE OR LESS DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTH WEST CORNER OF SAID QUARTER SECTION;  
THENCE NORTHERLY ALONG THE WEST BOUNDARY THEREOF 188.67 METRES;  
THENCE EASTERLY AND PARALLEL TO THE SOUTH BOUNDARY OF SAID  
QUARTER SECTION 110.03 METRES; THENCE SOUTHERLY AND PARALLEL  
TO THE SAID WEST BOUNDARY TO A POINT ON THE SAID SOUTH BOUNDARY;  
THENCE WESTERLY THEREON TO THE POINT OF COMMENCEMENT

PLAN	NUMBER	HECTARES	ACRES
ROAD	6756HB	0.344	0.85
SUBDIVISION	0013264	0.809	2.00

EXCEPTING THEREOUT ALL MINES AND MINERALS

SECOND

MERIDIAN 4 RANGE 29 TOWNSHIP 6  
SECTION 18

QUARTER SOUTH EAST

CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS  
EXCEPTING THEREOUT:

A) 12.02 HECTARES (29.71 ACRES) MORE OR LESS  
DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH EAST CORNER OF SAID QUARTER  
SECTION; THENCE NORTHERLY ALONG THE EAST BOUNDARY  
THEREOF 218.54 METRES; THENCE WESTERLY AND PARALLEL  
TO THE SOUTH BOUNDARY OF SAID QUARTER SECTION  
550.165 METRES; THENCE SOUTHERLY AND PARALLEL  
TO THE SAID EAST BOUNDARY TO A POINT ON THE  
SAID SOUTH BOUNDARY;

THENCE EASTERLY THEREON TO THE POINT OF  
COMMENCEMENT

PLAN	NUMBER	HECTARES	ACRES
ROAD	6756HB	0.127	0.31

EXCEPTING THEREOUT ALL MINES AND MINERALS

( CONTINUED )

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 121 101 770

REGISTRATION	DATE (DMY)	REGISTERED OWNER(S) DOCUMENT TYPE	VALUE	CONSIDERATION
121 103 538	02/05/2012	TRANSFER OF LAND		SEE INSTRUMENT

OWNERS

LLOYD WINSTON SPROULE  
OF P.O. BOX 1180  
PINCHER CREEK  
ALBERTA T0K 1W0

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
4215KL .	20/08/1969	CAVEAT RE : EASEMENT CAVEATOR - PLAINS WESTERN GAS & ELECTRIC CO LTD. AFFECTED LAND: 4;29;6;18;SE

181 213 189	01/10/2018	AMENDING AGREEMENT	
		AFFECTS INSTRUMENT:	171037742

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 13 DAY OF  
FEBRUARY, 2020 AT 10:24 A.M.

ORDER NUMBER: 38820757

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

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THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
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PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



LAND TITLE CERTIFICATE

S  
 LINC                      SHORT LEGAL                      TITLE NUMBER  
 0028 687 291              0013264;1                      001 362 235

LEGAL DESCRIPTION  
 PLAN 0013264  
 BLOCK 1  
 EXCEPTING THEREOUT ALL MINES AND MINERALS  
 AREA: 2.83 HECTARES (6.99 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE  
 ATS REFERENCE: 4;29;6;18;SW

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 851 175 064  
 001 362 195

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
001 362 235	18/12/2000	SUBDIVISION PLAN		

OWNERS

CHRUCH OF GOD IN CHRIST MENNONITE PINCHER CREEK ALBERTA OF PINCHER CREEK.  
 OF PINCHER CREEK  
 ALBERTA T0K 1W0

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
4215KL	20/08/1969	CAVEAT RE : EASEMENT CAVEATOR - PLAINS WESTERN GAS & ELECTRIC CO LTD.
731 015 818	23/05/1973	CAVEAT CAVEATOR - PLAINS WESTERN GAS & ELECTRIC CO LTD.

TOTAL INSTRUMENTS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 13 DAY OF  
FEBRUARY, 2020 AT 10:24 A.M.

ORDER NUMBER: 38820757

CUSTOMER FILE NUMBER:

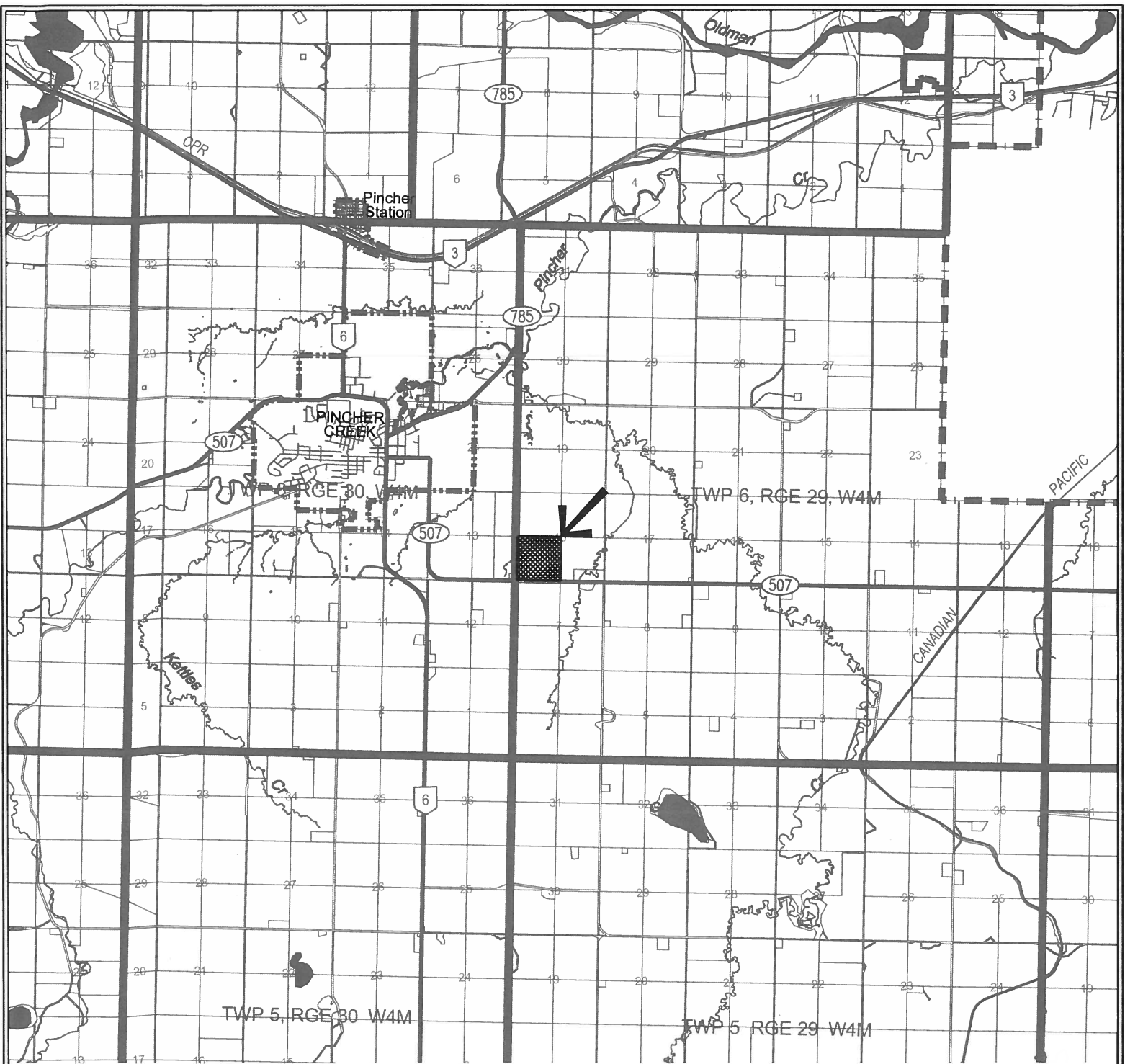


\*END OF CERTIFICATE\*

---

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  
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**  
**BLOCK 1; PLAN 0013264 & SW18 6-29-4**  
**ALL WITHIN SW 1/4 SEC 18, TWP 6, RGE 29, W 4 M**  
**MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9**  
**DATE: APRIL 24, 2020**  
**FILE No: 2020-0-035**

MAP PREPARED BY:  
OLDMAN RIVER REGIONAL SERVICES COMMISSION  
2908 58th AVENUE SASKATOON, SASKATCHEWAN, S4N 1Y9  
NOT RESPONSIBLE FOR ERRORS OR OMISSIONS





2 2  
1910959

NW18 6-29-4

NE18

1  
1910958

REMAINDER  
OF TITLE IN  
SW18 6-29-4  
BLOCK 1  
60.72±ha.  
(150.05±ac.)

SE18 6-29-4

2



LOT 1  
9511152

TABLE OF AREAS

FROM SW18 6-29-4	= 0.80±ha (1.97±ac)
FROM BLOCK 1; PLAN 0013264	= 2.83±ha (6.99±ac)
TOTAL	= 3.63±ha (8.96±ac)

SECONDARY ROAD 507

6756HB

NE12

NW7 6-29-4

NE7

### SUBDIVISION SKETCH

BLOCK 1; PLAN 0013264 & SW18 6-29-4

ALL WITHIN SW 1/4 SEC 18, TWP 6, RGE 29, W 4 M

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

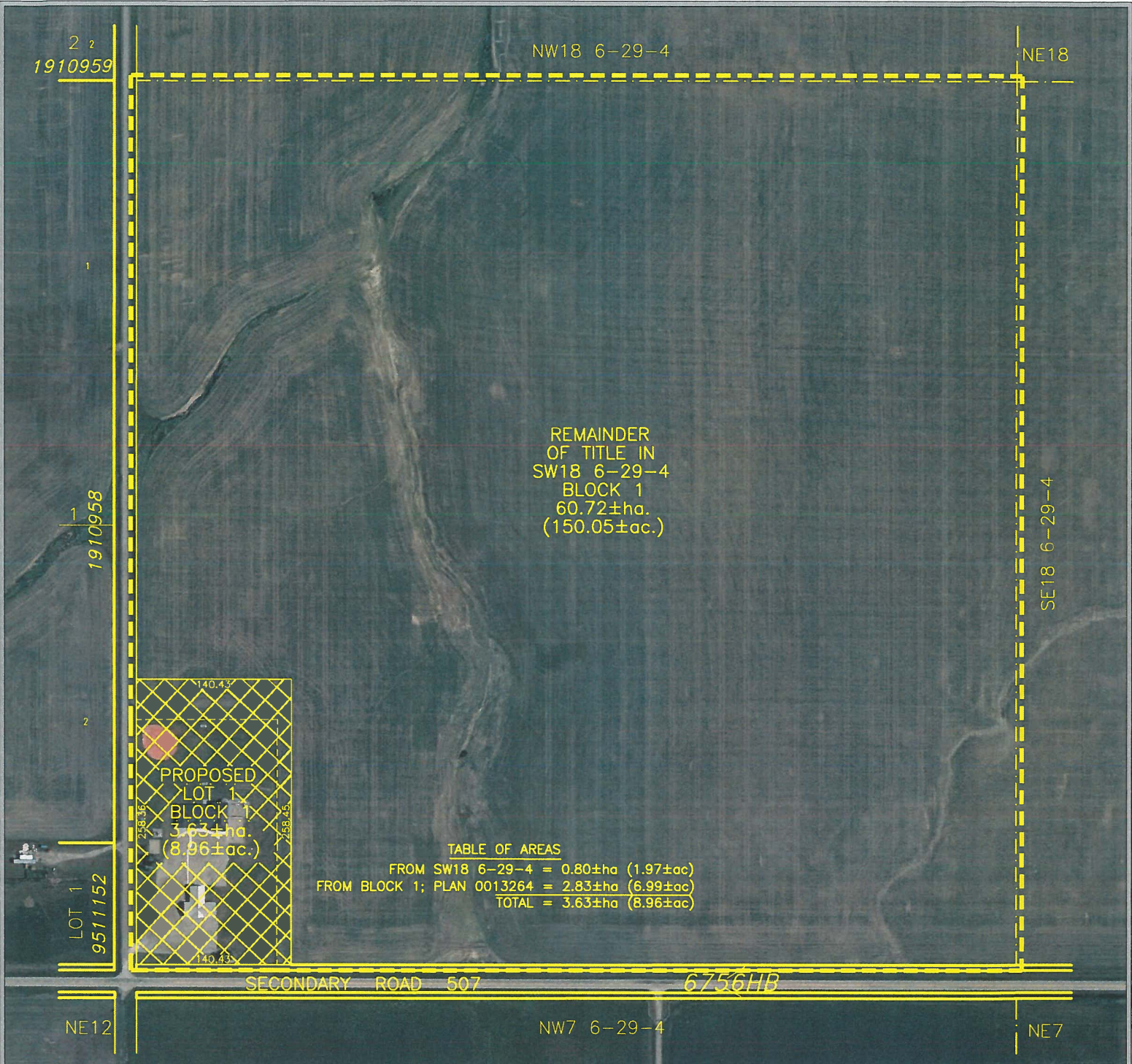
DATE: APRIL 24, 2020

FILE No: 2020-0-035



OLDMAN RIVER REGIONAL SERVICES COMMISSION





**SUBDIVISION SKETCH**

**BLOCK 1; PLAN 0013264 & SW18 6-29-4**

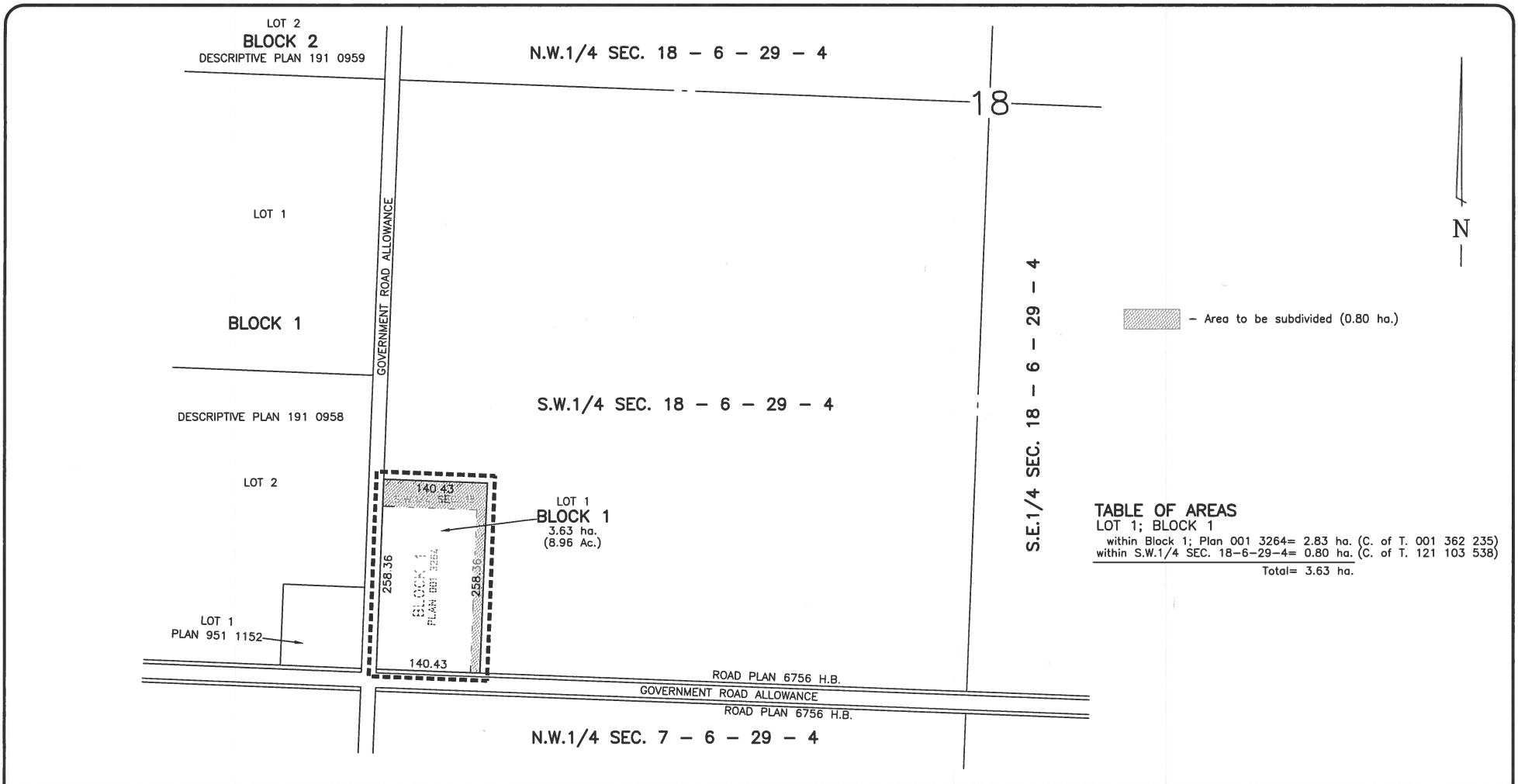
**ALL WITHIN SW 1/4 SEC 18, TWP 6, RGE 29, W 4 M**

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

**DATE: APRIL 24, 2020**

**FILE No: 2020-0-035**





- Area to be subdivided (0.80 ha.)

**TABLE OF AREAS**  
**LOT 1; BLOCK 1**

within Block 1; Plan 001 3264= 2.83 ha. (C. of T. 001 362 235)  
 within S.W.1/4 SEC. 18-6-29-4= 0.80 ha. (C. of T. 121 103 538)  
 Total= 3.63 ha.

NO.	REVISION	DATE	BY

NOTE : Portion to be approved is outlined thus -----  
 and contains approximately 3.63 ha.  
 Distances are in metres and decimal parts thereof.

Distances and areas are approximate and are  
 subject to change upon final survey.

**ROCKYVIEW CHRISTIAN CHURCH**

TENTATIVE PLAN SHOWING SUBDIVISION  
 of all of  
 BLOCK 1; PLAN 001 3264  
 and part of  
 S.W.1/4 SEC. 18  
 all within  
 S.W.1/4 SEC. 18; TWP. 6; RGE. 29; W.4 M.  
 MUNICIPAL DISTRICT OF PINCHER CREEK No. 9

**brown okamura & associates ltd.**  
 Professional Surveyors  
 2830 - 12th Avenue North, Lethbridge, Alberta

APPROVED	DRAWN	CJB	DATE	FEB. 24/20
	CHECKED	TCP	JOB	20-14801
T. C. Penner, A.L.S.	SCALE	DRAWING		20-14801T
	1:5000			

## DRAFT RESOLUTION

Our File: 2020-0-056

May 20, 2020

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

Dear Mr. MacCulloch,

**RE: W1/2 31-5-28-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 Authority should note that comments have not been received from the Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, Altagas Utilities Inc., AB Health Services - Lethbridge, AB Environment & Parks - J. Wu 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

2020-0-056

## **M.D. of Pincher Creek No. 9 Country Residential** subdivision of W1/2 31-5-28-W4M

THAT the Country Residential subdivision of W1/2 31-5-28-W4M (Certificate of Title No. 171 280 782 +1, 171 280 782 +5), to create a 13.58 acre (5.494 ha) parcel from 2 titles of 167.39 acres (67.74 ha) and 6.01 acres (2.43 ha) respectively 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 residual portion of Certificate of Title 171280782+5 be consolidated with the adjacent portion of the SW31 5-28 W4M in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.
4. That the Remainder of Certificate of Title 171280781+1 within the NW and SW 31 5-28 W4M be consolidated 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 proposed subdivision complies with the M.D. of Pincher Creek subdivision policy R.11.
4. The Subdivision Authority is satisfied that with the consolidations, 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.
5. That a waiver of the maximum lot size of 10 acres within the Agriculture – A district of the M.D. of Pincher Creek Land Use Bylaw, pursuant to Municipal Government Act section 654(2) was deemed appropriate and granted.

### **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 Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) Telus Communications Inc. has no objections to the above mentioned circulation.



- (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) Canada Post has no comment at this time.

---

CHAIRMAN

---

DATE

## NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

**DATE:** April 23, 2020  
**Date of Receipt:** April 2, 2020  
**Date of Completeness:** April 2, 2020

**TO: Landowners:** Curtis Lammers and Jackie Sproule

**Agent:** Brandon Lammers

**Surveyor:** Zachary J. Prosper, 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, Altagas Utilities Inc., AB Health Services - Lethbridge, AB Environment & Parks - J. Wu, AER, Canada Post

**Adjacent Landowners:** 1184226 Alberta Ltd., Clara S. Willms, Melvin and Dana Janzen, Kelly J and Nicki Neufeld, Martha Janzen

**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 **May 12, 2020**. (Please quote our File No. **2020-0-056** in any correspondence with this office).

**File No.:** 2020-0-056

**Legal Description:** W1/2 31-5-28-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:** 171 280 782 +1, 171 280 782 +5

**Meeting Date:** June 2, 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 13.58 acre (5.494 ha) parcel from 2 titles of 167.39 acres (67.74 ha) and 6.01 acres (2.43 ha) respectively for country residential use.

The proposal is to accommodate the subdivision of an existing farmyard, which presently contains a dwelling, barn, 2 quonsets, and number of other out-buildings. Access to the lot is presently granted from an existing approach to the west, off of a developed municipal road allowance. The existing residence is serviced by a septic system and on-site domestic well.

The farmyard straddles the quarter section line and a former railway right of way. To be eligible for this subdivision of first parcel from a quarter section it is necessary to consolidate the remainder of the railway title back into the SW quarter section.

With a waiver for parcel size, 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 a waiver of the Land Use Bylaw 10 acre maximum parcel size requirement be granted by the Subdivision Approval Authority of the MD of Pincher Creek.
7. That the residual portion of Certificate of Title 171280782+5 be consolidated with the adjacent portion of the SW31 5-28 W4M in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.
8. That the Remainder of Certificate of Title 171280781+1 within the NW and SW 31 5-28 W4M be consolidated in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.

**RESERVE:**

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

**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: 2020-0-056
APPLICATION SUBMISSION	
Date of Receipt: April 2, 2020	Received By: <i>[Signature]</i>
Date Deemed Complete: April 2, 2020	Accepted By:

**1. CONTACT INFORMATION**

Name of Registered Owner of Land to be Subdivided: Curtis Lammers / Jackie Sproule

Mailing Address: [Redacted] City/Town: \_\_\_\_\_

Postal Code: [Redacted] Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_

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

Name of Agent (Person Authorized to act on behalf of Registered Owner): Brandon Lammers

Mailing Address: [Redacted] City/Town: [Redacted]

Postal Code: [Redacted] Telephone: [Redacted] Cell: \_\_\_\_\_

Email: blammers76@gmail.com Preferred Method of Correspondence: Email  Mail

Name of Surveyor: Zachary J. Prosper, ALS brown okamura & associates ltd.

Mailing Address: 2830 - 12 Avenue North City/Town: Lethbridge

Postal Code: T1H 5J9 Telephone: 403-329-4688 ext. 132 Cell: \_\_\_\_\_

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

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

a. All/part of the W 1/2 Section 31 Township 5 Range 28 West of 4 Meridian (e.g. SE 36-1-36-W4M)

b. Being all/part of: Lot/Unit \_\_\_\_\_ Block \_\_\_\_\_ Plan RW2

c. Total area of existing parcel of land (to be subdivided) is: 135.79, 2.43 hectares 335.5, 6.01 acres

d. Total number of lots to be created: 1 Size of Lot(s): 5.494 Hectares (13.58 Acres)

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

f. Certificate of Title No.(s): 171 280 782+1 & 171 280 782+5

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

a. The land is located in the municipality of Municipal District 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 Acreage
- b. Proposed use of the land Acreage

5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED

- a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) Rolling
- b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.)  
Grass
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) Unknown
- 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 Tentative Plan
- 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

- a. Describe existing source of potable water Well
- b. Describe proposed source of potable water Well

7. SEWER SERVICES

- a. Describe existing sewage disposal: Type Septic Tank & Field Year Installed 1968
- b. Describe proposed sewage disposal: Type Septic Tank & Field

8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF

I, Curtis Lammers (boa file: 20-14771) 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: *Curtis Lammers* Date: 2020/02/19

9. RIGHT OF ENTRY

I, CURTIS LAMMERS, 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.

*Curtis Lammers*  
Signature of Registered Owner(s)

Personal information collected on this form is collected in accordance with Section 653 of the Alberta Municipal Government Act and Section 33(c) of the Freedom of Information and Protection of Privacy Act. Please note that such information may be made public. If you have any questions about the information being collected, contact the Oldman River Regional Services Commission FOIP Coordinator at 403-329-1344.





LAND TITLE CERTIFICATE

S	LINC	SHORT LEGAL	TITLE NUMBER
	0021 632 550	4;28;5;31;NW	171 280 782 +1
	0021 632 567	4;28;5;31;NE	
	0021 632 575	4;28;5;31;SW	

LEGAL DESCRIPTION

FIRST

MERIDIAN 4 RANGE 28 TOWNSHIP 5  
SECTION 31  
QUARTER NORTH WEST  
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS  
EXCEPTING:  
PLAN NUMBER ACRES MORE OR LESS  
EXTRA ROADWAY 5932HC 1.0  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AND THE RIGHT TO WORK THE SAME

SECOND

MERIDIAN 4 RANGE 28 TOWNSHIP 5  
SECTION 31  
QUARTER NORTH EAST  
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS  
EXCEPTING:  
PLAN NUMBER ACRES MORE OR LESS  
EXTRA ROADWAY 5932HC 1.0  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AND THE RIGHT TO WORK THE SAME

THIRD

MERIDIAN 4 RANGE 28 TOWNSHIP 5  
SECTION 31  
THAT PORTION OF THE SOUTH WEST QUARTER  
LYING NORTH OF THE RIGHT OF WAY OF THE CANADIAN NORTHER  
RAILWAY AS SAID RIGHT OF WAY IS SHOWN ON PLAN RW2  
CONTAINING 8.39 ACRES MORE OR LESS  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 111 163 984 +7

---

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
171 280 782	11/12/2017	TRANSFER OF LAND		SEE INSTRUMENT

---

OWNERS

CURTIS LAMMERS

[REDACTED]

JACKIE SPROULE

[REDACTED]

---

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION	DATE (D/M/Y)	PARTICULARS
NUMBER		
5158LE	22/12/1971	CAVEAT CAVEATOR - PLAINS WESTERN GAS & ELECTRIC CO LTD.

TOTAL INSTRUMENTS: 001

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TITLE REPRESENTED HEREIN THIS 3 DAY OF  
FEBRUARY, 2020 AT 11:03 A.M.

ORDER NUMBER: 38749340

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0019 373 976              RW2;RLY;5                      171 280 782 +5

LEGAL DESCRIPTION

PLAN RW2  
RAILWAY RIGHT OF WAY IN SW-31-5-28-4  
CONTAINING 6.01 ACRES MORE OR LESS  
EXCEPTING THEREOUT ALL MINES AND MINERALS

ATS REFERENCE: 4;28;5;31;SW  
ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 111 225 227

REGISTRATION	DATE (DMY)	REGISTERED OWNER(S) DOCUMENT TYPE	VALUE	CONSIDERATION
171 280 782	11/12/2017	TRANSFER OF LAND		SEE INSTRUMENT

OWNERS

CURTIS LAMMERS

[REDACTED]

JACKIE SPROULE

[REDACTED]

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION  
NUMBER              DATE (D/M/Y)              PARTICULARS

NO REGISTRATIONS

( CONTINUED )

TOTAL INSTRUMENTS: 000

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
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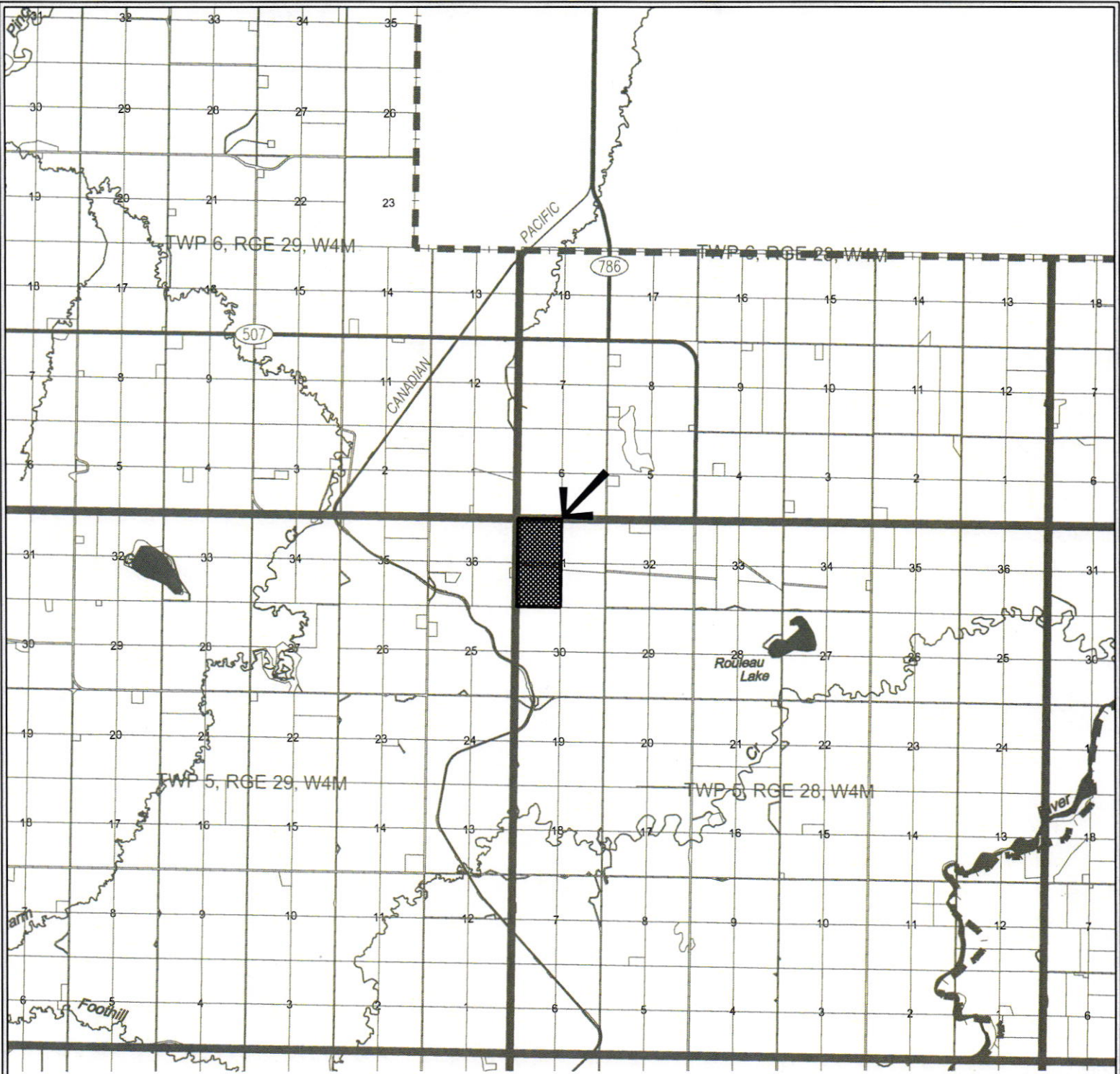


\*END OF CERTIFICATE\*

---

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PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



**SUBDIVISION LOCATION SKETCH**  
**WITHIN NW & SW 1/4 SEC 31, TWP 5, RGE 28, W 4 M**  
**MUNICIPALITY: M.D. PINCHER CREEK NO. 9**  
**DATE: APRIL 7, 2020**  
**FILE No: 2020-0-056**

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





SE1

SW6 6-28-4

SE6

5932HC

ROADWAY

NE36 5-29-4

NW31 5-28-4  
C of T: 171 280 781 001

NE31 5-28-4

SW31 5-28-4  
C of T: 171 280 781 001  
RW2; RLY; 5 C of T: 171 280 782 005

9811807

SE36 5-29-4

SW31 5-28-4  
C OF T: 181 064 914

SE31 5-28-4

SW31 5-28-4

2268AZ

LOT 2  
9212313

NW30

NW30 5-28-4

NE30

**SUBDIVISION SKETCH - EXISTING**  
WITHIN NW & SW 1/4 SEC 31, TWP 5, RGE 28, W 4 M  
MUNICIPALITY: M.D. PINCHER CREEK NO. 9  
DATE: APRIL 7, 2020  
FILE No: 2020-0-056



SE1

SW6 6-28-4

SE6

5932HC

ROADWAY

NE36 5-29-4

REMAINDER  
OF TITLE IN  
NW31 5-28-4  
59.99±ha.  
(148.25±ac.)

NE31 5-28-4

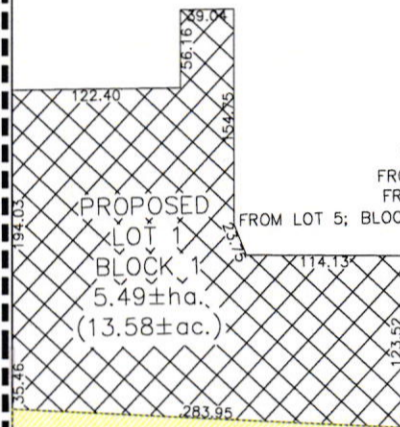


TABLE OF AREAS FOR LOT 1; BLOCK 1

FROM NW31 5-28-4	= 4.35±ha (10.75±ac)
FROM SW31 5-28-4	= 0.93±ha (2.30±ac)
FROM LOT 5; BLOCK RLY; PLAN RW2	= 0.21±ha (0.53±ac)
<b>Total</b>	<b>= 5.49±ha (13.58±ac)</b>

PROPOSED  
LOT 1  
BLOCK 1  
5.49±ha.  
(13.58±ac.)

REMAINDER OF SW31 5-28-4  
2.86±ha (7.08±ac)

REMAINDER OF LOT 5; BLOCK RLY; PLAN RW2

9811807

PROPOSED  
CONSOLIDATION  
60.89±ha.  
(150.46±ac.)

SE31 5-28-4

SE36 5-29-4

SW31 5-28-4

TABLE OF AREAS FOR CONSOLIDATION IN SW31 5-28-4

FROM SW31 5-28-4	= 58.67±ha (144.98±ac)
REMAINDER OF LOT 5; BLOCK RLY; PLAN RW2	= 2.22±ha (5.48±ac)
<b>Total</b>	<b>= 60.89±ha (150.46±ac)</b>

LOT 2  
9212313

NW30

NW30 5-28-4

NE30

**SUBDIVISION SKETCH - PROPOSED**  
WITHIN NW & SW 1/4 SEC 31, TWP 5, RGE 28, W 4 M  
MUNICIPALITY: M.D. PINCHER CREEK NO. 9  
DATE: APRIL 7, 2020  
FILE No: 2020-0-056





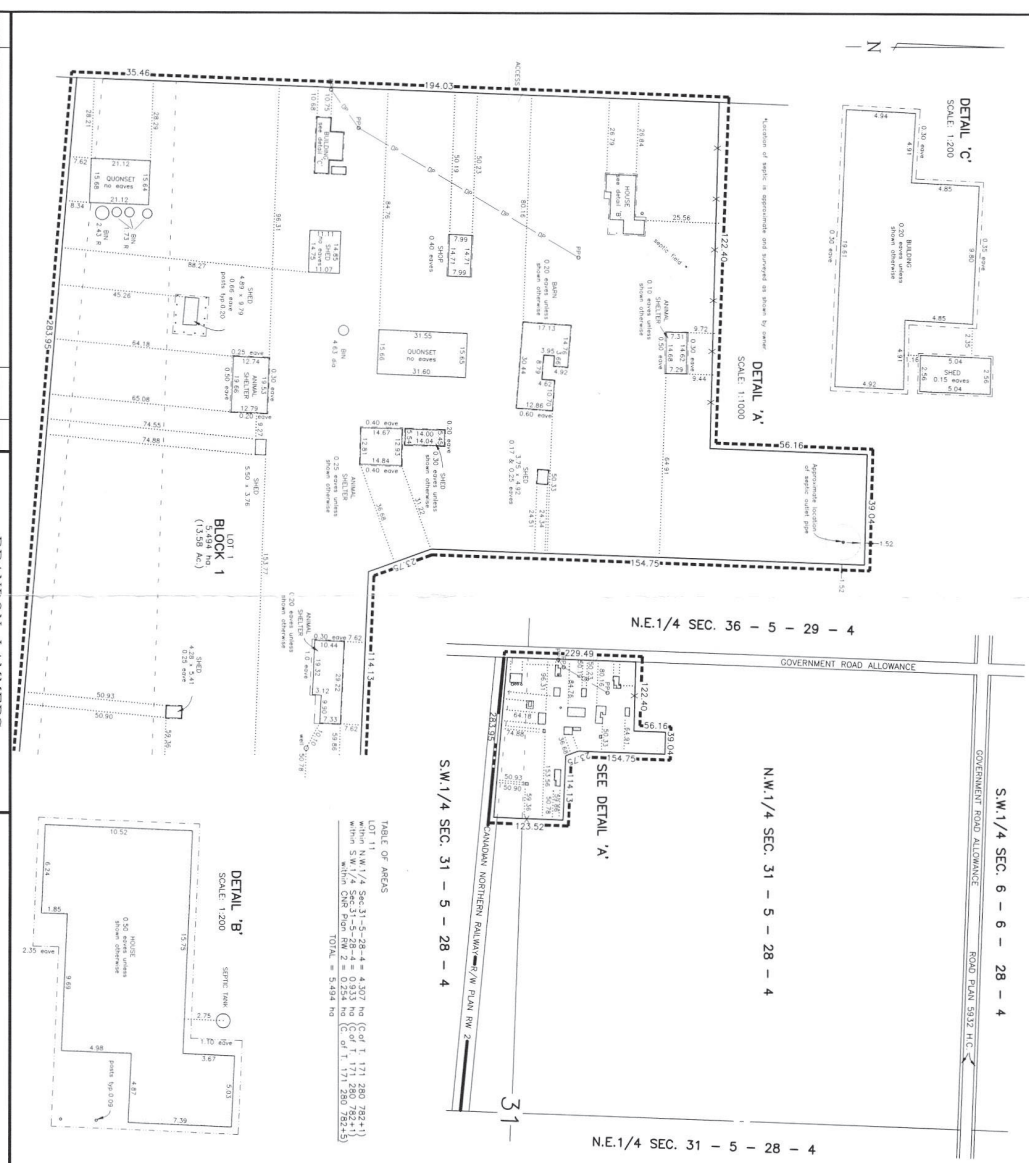


**SUBDIVISION SKETCH - PROPOSED**  
 WITHIN NW & SW 1/4 SEC 31, TWP 5, RGE 28, W 4 M  
 MUNICIPALITY: M.D. PINCHER CREEK NO. 9  
 DATE: APRIL 7, 2020  
 FILE No: 2020-0-056

AERIAL PHOTO DATE: 2015







NO.	REVISION	DATE	BY

NOTE: Portion to be approved is outlined thus \_\_\_\_\_ and contains approximately 5.484 ha. Distances are in meters and decimal parts thereof. Overhead Utility lines shown thus \_\_\_\_\_ Utility poles shown thus \_\_\_\_\_

BRANDON LAMMERS

TENTATIVE PLAN SHOWING SUBDIVISION of part of W.1/4 SEC. 31, TWP. 5, RGE. 28, W.4 M. M.D. of Procter Creek No.9

**bc** brown okamura & associates ltd.  
Professional Surveyors  
2830 - 12 Avenue North, Lethbridge, Alberta

APPROVED	DATE
DRAMA M.D.	MAR 8/20
CHECKED Z.P.	JUN 20-14771
SCALE	DRAWING
1:5000	20-14771A

## DRAFT RESOLUTION

Our File: 2020-0-060

May 20, 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 36-8-2-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 Livingstone Range School Division, AltaLink, AB Environment & Parks - J. Wu., AB Water Boundaries, AB Environment Operations Infrastructure Branch (OIB), 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

2020-0-060

**M.D. of Pincher Creek No. 9 Country Residential** subdivision of NW1/4 36-8-2-W5M

THAT the Country Residential subdivision of NW1/4 36-8-2-W5M (Certificate of Title No. 191 113 711, 201 046 147), to create a 32.48 acre (13.14 ha) parcel from a previously unsubdivided quarter section of 160 acres (64.7 ha) and an adjoining small title of containing 2.16 acres (0.87ha) 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 Certificate of Title 201046147 be consolidated with proposed Lot 1 as depicted in the tentative plan submitted by Brown Okamura & Associates (BOA file 19-14549T) 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 proposed subdivision complies with the M.D. of Pincher Creek subdivision policy R.11.
4. 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.
5. That a waiver of the maximum lot size of 10 acres within the Agriculture – A district of the M.D. of Pincher Creek Land Use Bylaw, pursuant to Municipal Government Act section 654(2) was deemed appropriate and granted.

## 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 Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) The subject property is located within an area identified by the province as having potential historical resources (HRV5). A historical resource clearance is not required in accordance with the exemptions for a first parcel out of a quarter section for a subject parcel having an HRV of 5 in accordance with the Land Use Procedures Bulletin *Subdivision Historical Resources Act Compliance* (January 22, 2019).

- (e) Telus Communications Inc. has no objections to the above mentioned 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) Chief Mountain Gas Co-op Ltd. – Delbert G. Beazer, Chief Executive Officer:

“Please note, we have no objections to the proposed subdivisions, as long as our Utility-Right-Way remains on title. Also, that any relocating of lines requested by the owner because of this subdivision will be at the owners cost. All contracts for gas service will be supplied as needed and at owners cost. If this subdivision splits a gas contract that serves two homes a new contract will have to be purchased by the owner.

Being that the application is in a remote area, natural gas service may be unavailable. Developer should discuss gas needs and plans for implementation before lots are sold. We would rather deal with the developer than individual lot owners for capital expense and planning.

As a condition of subdivision, we request that a Service Agreement be signed by the Applicant prior to subdivision finalization.”

- (h) Alberta Health Services – Wade Goin, Executive Officer/Public Health Inspector:

“In response to the April 27, 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 Environment & Parks – Michelle Armstrong, Land Management Specialist:

“As no crown land is impacted by this proposal Lands Division has no comments to provide.”

- (j) Canada Post has no comment at this time.

---

CHAIRMAN

---

DATE



**OLDMAN RIVER REGIONAL SERVICES COMMISSION**

3105 - 16<sup>th</sup> Avenue North  
Lethbridge, Alberta T1H 5E8

Phone: (403) 329-1344  
Toll-Free: 1-844-279-8760  
E-mail: [subdivision@orrsc.com](mailto:subdivision@orrsc.com)  
Website: [www.orrsc.com](http://www.orrsc.com)

## NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

**DATE:** April 27, 2020

**Date of Receipt:**

April 15, 2020

**Date of Completeness:**

April 15, 2020

**TO: Landowners:** Hutterian Brethren Church of Livingstone, Derek M Smith

**Agent:** Steve Sapeta

**Surveyor:** Zachary J. Prosper, A.L.S.

**Referral Agencies:** M.D. of Pincher Creek No. 9, Bev Everts, Livingstone Range School Division, AltaLink, FortisAlberta, TELUS, Chief Mountain Gas Co-op Ltd., AB Health Services – South Zone, AB Environment & Parks - J. Wu., AB Environment & Parks - M. Armstrong, AB Water Boundaries, AB Environment Operations Infrastructure Branch (OIB), Historical Resources Administrator, AER, Canada Post

**Adjacent Landowners:** W.C. Ranching Ltd., Antelope Butte Ranch, Bernard and Brenda Haggarty, Jason and Tania Scotton, Steven Walter Sapeta, W.C. Ranching 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. 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 **5/19/2020**. (Please quote our File No. 2020-0-060 in any correspondence with this office).

**File No:** 2020-0-060

**Legal Description:** NW1/4 36-8-2-W5M

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

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

**Existing Use:** Country Residential

**Proposed Use:** Country Residential

**# of Lots Created:** 1

**Certificate of Title:** 191 113 711, 201 046 147

**Meeting Date:** June 2, 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 32.48 acre (13.14 ha) parcel from a previously unsubdivided quarter section of 160 acres (64.7 ha) and an adjoining small title of containing 2.16 acres (0.87ha) 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 hauled in water.

The house straddles the quarter section line and to accommodate this and the houses septic system a small title was created in 1951. Current, land planning requires the septic system to part of the subdivided lot. To alleviate the issues, the applicant is proposing to consolidate the small title to the proposed subdivision.

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

Todd Creek, a tributary to the Oldman River, meanders through the eastern edge of the proposed Lot.

With a waiver for parcel size, 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 a waiver of the Land Use Bylaw 10 acre maximum parcel size requirement be granted by the Subdivision Approval Authority of the MD of Pincher Creek. Or that the proposed parcel be reduced in size sufficient to accommodate existing buildings, structures and improvements.
7. That Certificate of Title 201046147 be consolidated with proposed Lot 1 as depicted in the tentative plan submitted by Brown Okamura & Associates (BOA file 19-14549T) in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.

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

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

**If you wish to make a presentation at the subdivision authority meeting, please notify the M.D. of Pincher Creek No. 9 Municipal Administrator as soon as possible.**

**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: 2020-0-060
APPLICATION SUBMISSION	
Date of Receipt: April 15, 2020	Accepted By: <i>[Signature]</i>
Date Deemed Complete: Apr 15/20	Accepted By: <i>[Signature]</i>

**1. CONTACT INFORMATION**

Name of Registered Owner of Land to be Subdivided: Hutterian Brethren Church of Livingstone/ Derek M Smith

Mailing Address: [Redacted] Postal Code: [Redacted]

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

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

Name of Agent (Person Authorized to act on behalf of Registered Owner): Steve Sapeta

Mailing Address: [Redacted] Postal Code: [Redacted]

Telephone: [Redacted] Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

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

Name of Surveyor: Zachary J. Prosper, ALS brown okamura & associates ltd.

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

Telephone: 403-329-4688 Ex. 132 Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

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

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

- a. All/part of the NW ¼ Section 36 Township 8 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: 64.7 hectares 160 acres
- d. Total number of lots to be created: 1 Size of Lot(s): 12.27 hectares (30.32 acres)
- e. Rural Address (if applicable): 2019 Twp Rd 9-0
- f. Certificate of Title No.(s): 191 113 711, 201 046 147

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

- a. The land is located in the municipality of Pincher Creek MD
- 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 Todd Creek
- 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 Acreage and grassland
- b. Proposed use of the land Consolidate with existing acreage to the east

**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.) grass, trees, creek
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) unknown
- 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 tentative plan
- 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 no potable water on site, hauls water in
- b. Proposed source of potable water no potable water on site, hauls water in

**7. SEWER SERVICES**

Describe:

- a. Existing sewage disposal: Type septic tank & field Year Installed unknown
- b. Proposed sewage disposal: Type septic tank & field

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

I, MB Walter (boa file: 19-14549) 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: MB Walter Date: April 7 2020

**9. RIGHT OF ENTRY**

I, MB Walter 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.

MB Walter Derek Smith  
Signature of Registered Owner(s)



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0017 046 327            5;2;8;36;NE                      201 046 147

LEGAL DESCRIPTION

THAT PORTION OF THE NORTH EAST QUARTER OF SECTION THIRTY SIX (36), IN TOWNSHIP EIGHT (8), RANGE TWO (2), WEST OF THE FIFTH MERIDIAN, CONTAINING TWO AND SIXTEEN HUNDREDTHS (2.16) ACRES MORE OR LESS

SHOWN AS PARCEL B. ON PLAN ANNEXED TO TRANSFER 5735AA EXCEPTING THEREOUT ALL MINES AND MINERALS AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 201 046 146

-----  
REGISTERED OWNER(S)  
REGISTRATION      DATE (DMY)      DOCUMENT TYPE      VALUE      CONSIDERATION  
-----  
201 046 147      05/03/2020      TRANSFER OF LAND      [REDACTED]

OWNERS

DEREK M SMITH  
[REDACTED]

-----  
ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION  
NUMBER      DATE (D/M/Y)      PARTICULARS  
-----

NO REGISTRATIONS

TOTAL INSTRUMENTS: 000

( CONTINUED )

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 1 DAY OF APRIL,  
2020 AT 03:54 P.M.

ORDER NUMBER: 39105902

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  
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).



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0021 171 525            5;2;8;36;NW                      191 113 711

LEGAL DESCRIPTION  
MERIDIAN 5 RANGE 2 TOWNSHIP 8  
SECTION 36  
QUARTER NORTH WEST  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AND THE RIGHT TO WORK THE SAME  
AREA: 64.7 HECTARES (160 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE

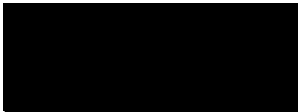
MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 191 033 070

-----  
REGISTERED OWNER(S)  
REGISTRATION      DATE (DMY)      DOCUMENT TYPE      VALUE      CONSIDERATION  
-----  
191 113 711      14/06/2019      TRANSFER OF LAND           SEE INSTRUMENT

OWNERS

HUTTERIAN BRETHREN CHURCH OF LIVINGSTONE.



-----  
ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION  
NUMBER      DATE (D/M/Y)      PARTICULARS  
-----  
6478CL      28/01/1921      EASEMENT  
  
901 034 761      06/02/1990      UTILITY RIGHT OF WAY  
GRANTEE - CHIEF MOUNTAIN GAS CO-OP LTD.  
BOX 38  
CARDSTON  
ALBERTA TOKOKO  
(DATA UPDATED BY: CHANGE OF NAME 951153913)

( CONTINUED )

-----  
ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 191 113 711

REGISTRATION  
NUMBER          DATE (D/M/Y)          PARTICULARS

-----

(DATA UPDATED BY: CHANGE OF NAME 021073350)

TOTAL INSTRUMENTS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 1 DAY OF APRIL,  
2020 AT 03:54 P.M.

ORDER NUMBER: 39105902

CUSTOMER FILE NUMBER:

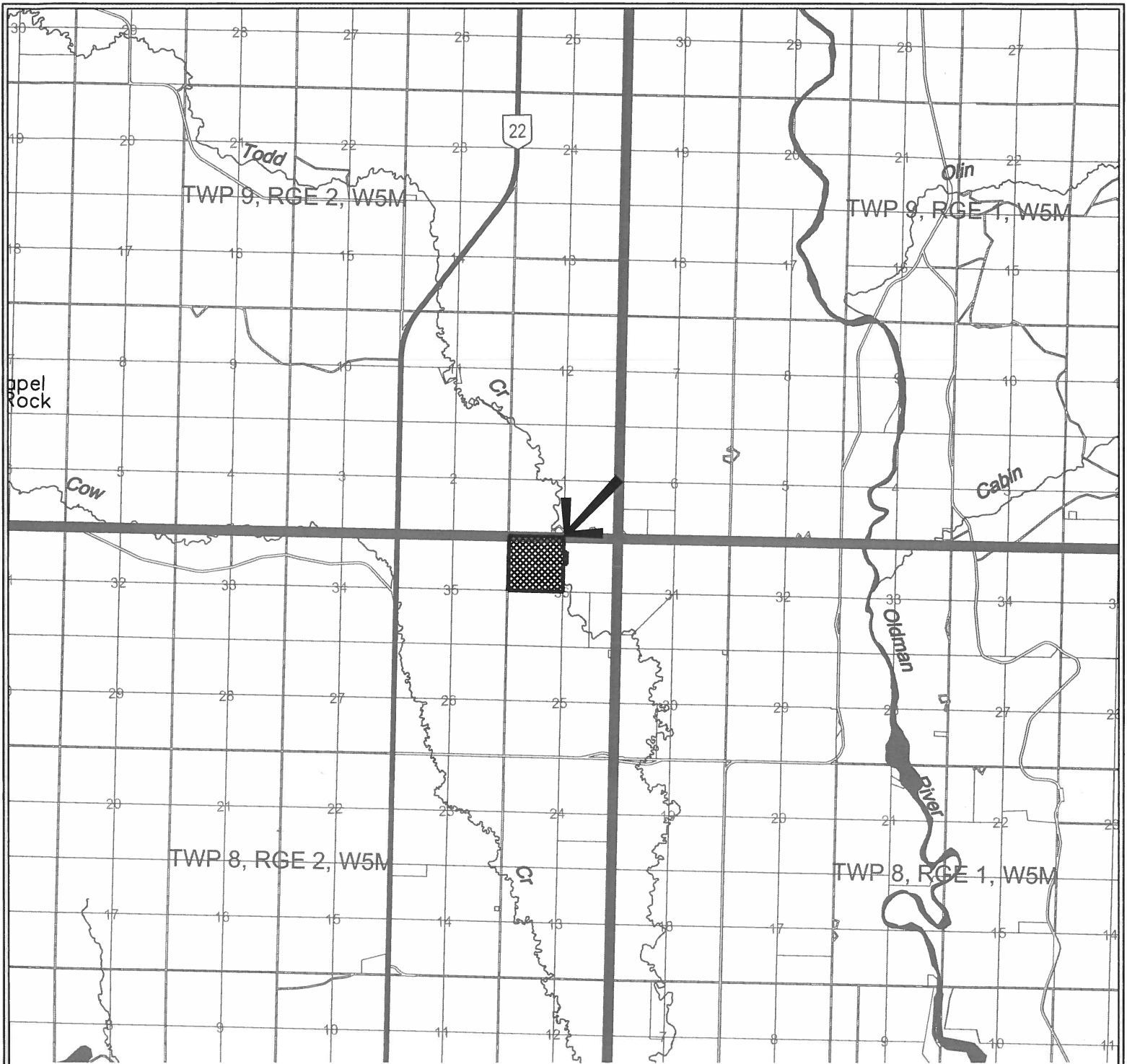


\*END OF CERTIFICATE\*

-----  
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  
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**  
**SUBDIVISION SKETCH**  
 WITHIN NW 1/4 SEC 36, TWP 8, RGE 2, W 5 M  
 MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9  
 DATE: APRIL 17, 2020  
 FILE No: 2020-0-060

MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 3705 50th AVENUE NORTH, LETHBRIDGE, AB T1V 0P9  
 NOT RESPONSIBLE FOR ERRORS OR OMISSIONS



SE2

SW1 9-2-5

SW1 9-2-5

SE1

TABLE OF AREAS  
 NW36 8-2-5 = 12.27±ha (30.32±ac)  
 NE36 8-2-5 = 0.87±ha (12.16±ac)  
 TOTAL = 13.14±ha (32.48±ac)

PROPOSED  
 CONSOLIDATION

LOT 1  
 BLOCK 1  
 13.14±ha.  
 (32.48±ac.)

REMAINDER  
 OF TITLE IN  
 NW36 8-2-5  
 52.48±ha.  
 (129.68±ac.)

NE35 8-2-5

SE35

SW36 8-2-5

SE36

NE36 8-2-5

TODD CREEK

**SUBDIVISION SKETCH**  
 WITHIN NW 1/4 SEC 36, TWP 8, RGE 2, W 5 M  
 MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9  
 DATE: APRIL 17, 2020  
 FILE No: 2020-0-060



0 100 200 300 400  
 Metres  
 April 20, 2020 N:\Subdivision\2020\2020-0-060.dwg





**SUBDIVISION SKETCH**  
 WITHIN NW 1/4 SEC 36, TWP 8, RGE 2, W 5 M  
 MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9  
 DATE: APRIL 17, 2020  
 FILE No: 2020-0-060







## DRAFT RESOLUTION

Our File: 2020-0-065

May 20, 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 25-8-1-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 Authority should note that comments have not been received from the Livingstone Range School Division, AltaLink, AB Health Services - South Zone, AB Environment & Parks - J. Wu, 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

2020-0-065

## **M.D. of Pincher Creek No. 9** Agricultural subdivision of NW1/4 25-8-1-W5M

THAT the Agricultural subdivision of NW1/4 25-8-1-W5M (Certificate of Title No. 071 612 750), to create a 117.10 acre (47.40 ha) lot and a 35.60 acre (14.40 ha) lot from a previously unsubdivided quarter section of 160 acres (64.7 ha) for agricultural 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.

### **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 proposed subdivision complies with the M.D. of Pincher Creek subdivision policy R.15.
4. The subdivision authority, in considering the written submission from Blaine and Margaret Moen, finds that the Development Agreement is a standard condition which allows for a municipality to impose required upgrades to roads and other services, where necessary. The content of these agreements are not privy to adjacent landowners as they are a matter between the MD and the applicant. In response to the second part of the inquiry, it has been found that the portion of Road Plan 63771 lying north of the current road alignment within the quarter section pertaining to this subdivision was closed under a prior road approval. Therefore as a matter of concern it has been addressed.
5. The subdivision authority, in considering the written submission from Neil and Iris Kathol, finds that the concerns are related to development considerations (including the number of development sites, views, access roads and disturbance of flora) and not directly to this agriculturally based subdivision which is defined by an existing road.

### **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 Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) The subject property is located within an area identified by the province as having potential historical resources (HRV5). A historical resource clearance is not required in accordance with the exemptions for a first parcel out of a quarter section for a subject parcel having an HRV of 5 in accordance with the Land Use Procedures Bulletin *Subdivision Historical Resources Act Compliance* (January 22, 2019).

- (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) Chief Mountain Gas Co-op Ltd. – Delbert G. Beazer, Chief Executive Officer:

“Please note, we have no objections to the proposed subdivisions, as long as our Utility-Right-Way remains on title. Also, that any relocating of lines requested by the owner because of this subdivision will be at the owners cost. All contracts for gas service will be supplied as needed and at owners cost. If this subdivision splits a gas contract that serves two homes a new contract will have to be purchased by the owner.

Being that the application is in a remote area, natural gas service may be unavailable. Developer should discuss gas needs and plans for implementation before lots are sold. We would rather deal with the developer than individual lot owners for capital expense and planning.

As a condition of subdivision, we request that a Service Agreement be signed by the Applicant prior to subdivision finalization.”

- (h) Canada Post has no comment at this time.
- (i) Comments from Blaine & Margaret Moen Regarding:

Planner’s Preliminary Comments

2. “The applicant or owner or both enter into a Development Agreement with the MD.”

- This comment concerns us; however, we are relatively uneducated on the subdivision process. Our concern is related to the open-ended statement without specific details therefore we are unable to accurately assess the MD’s intent. We do not understand why an applicant is required to enter into a Development Agreement when applying for a subdivision of land. Is this a standard requirement? More specific information is required regarding the intent of this agreement.

6. “That a road closure for that portion of Road Plan 6371I lying north of the current road alignment be prepared with the resolution being approved by the MD of Pincher Creek and subsequently consented to by the Minister of Infrastructure, prior to final registration of the subdivision.”

- We believe the Road Plan to be 6377I. Is that correct? Is this a typo?
- This portion of the Road Plan provides our property alternate access to the MD road and so we oppose its closure.

Overall, we have other concerns which we intend to take up with the MD that are related to the information provided in this application notice.

Sincerely, Blaine and Margaret Moen

- j) Comments from Mark Schell:

“I am the Landowner of the property described in File No. 2020-0-065. Thank you for reviewing my application for subdivision and responding promptly.

The following comments arise from my review of the Notice of Application For Subdivision of Land mailed to me on May 8, 2020:

1. “Landowner”: the legal name of the Landowner is 1140540 Alberta **Inc.** as stated on the initial application and Certificate of Title to the property. (The Notice incorrectly states 1140540 Alberta Ltd.).

2. Contained within the Planner's Preliminary Comments are six (6) points which The Subdivision Authority is requested to consider by the Planner.

Two of the points bring about questions and the necessity for further definition and clarity:

Point 2.: "Development Agreement" is not defined. Definition and mutual acknowledgement to this effect is required.

Point 6.: I have difficulty with the "Road Closure" request. I bring to your attention that my initial approach to this subdivision was to apply for three parcels because of the way Road Plan 6377i/7722Q is shown to be situated.

(6377i is shown on the Subdivision Sketch contained in the Notice of Application).

- My planning consultant corresponded with the Planning Advisor to that effect and was lead to believe that the "roadway" pertaining to Road Plan 6377i has been incorporated into titles and therefore only two cutoff titles can be made not three.

- Accordingly to Land Titles Office there is no official abandonment of 6377i (or 7722Q).

- Point 6, therefore requires careful review and consideration from a number of standpoints:

o 6377i need not be disrupted simply by virtue of this subdivision application.

o It is a potential point of access for my neighbour which this subdivision need not disrupt.

o Based upon the geography/topography the "roadway" as shown exists in an apparently logical area.

o 6377i/7722Q will play a key future role in this area.

I welcome comments from the ORRSC and the MD of Pincher Creek and look forward to moving this forward."

(k) Comments from Iris Kathol and Neil Kathol:

"Reference is made to the Subject File.

These are the preliminary comments of Iris Kathol and Neil Kathol, who were mailed a printed copy of some materials in regard to this File.

We did not receive these materials in our mail until May 14, 2020.

It is noted the Planner had not performed a site inspection. I write these remarks not knowing what level of knowledge readers have of the terrain.

We own and use - year-round - the reconstructed, fully-serviced log bungalow (cabin) at the end of Access R/W Plan 021 0760, built by Glen and Lois Mumeys in about 1995. The cabin emulates an original homestead having been built from logs of the original "Veitch" homestead that was abandoned in the 40's or 50's.

Our parcels of land include:

1. a correction parcel;

2. a 3 acre +- rectangular parcel the cabin and garage are built on.

The correction parcel is title number 021 436 720 + 1. It extends from the quarter to its east (SW36 8 - 1 - 5) to a tip at its west which is within a few yards of the Snake Trail.

The "top" of the correction parcel excludes the road plan 7222Q . There is a piece of the correction parcel - the top piece of it - that lies between the road plan 7222Q and the quarter to the east. We have located a black bench of recycled plastic on the top piece.

We have used the cabin very regularly since November, 2002 when we purchased from the Mumeys. Our children were 5, 3 and just a half year old, when we had our first Christmas there. We have raised

our kids hiking on the remainder 1/4 section of land adjacent our cabin (NE26 8 - 1 - 5), which Mumeys retained and still own.

The land slopes up to the east, as you know. At the top, just above 7222Q is a beautiful ridge dotted with many living and a few dead (but still fully-branched) pine, spruce and fir trees, including ancient limber pines. We refer to it as "salt and pepper ridge".

The area in general was pure ranching country when we purchased in 2002. It has maintained its original feel of classic Porcupine Hills ranching country and is cherished for that. With the exception of the Dunn dwellings and out-buildings, no one has built on the hilltops and "at worst" new dwellings have located well behind the brow of any given hill, and are obscured by coniferous trees. Wild ungulates and predators still roam the area; albeit since the last two or three developments, sightings of elk have dropped off.

Our concerns are as follows:

1. The original feel of the immediate area as Porcupine Hills ranching country be maintained and development - it is at the brink of feeling more like a country subdivision;
2. Salt and pepper ridge and views across and up at it, be left alone;
3. The access roads off 7722Q to any new buildings be as few, small and hidden as possible;
3. Our access to our access road "Access R/W Plan 021 0760" from the edge of 7022Q via the Government Road Allowance, not be affected;
4. Generally the disturbance of the rare and native prairie (rough fescue and dozens of flowering dwarf shrubs and as noted any trees), be minimized;
4. Other considerations we are more able to express when we have more information and time to consider this.

We hope you will in future provide us the comments and information of the Planner and of the authority, an outline of planning issues and evaluations, the site inspection information, the preliminary considerations (before recommendation) of ORRSC, and other information and updates as the application progresses - and the opportunity to comment further.

Thank you and please do not hesitate to be in contact with any questions. In addition to [neilkathol@gmail.com](mailto:neilkathol@gmail.com) I can also be reached at (403) 389-5706, and by mail at the address you sent the printed materials to."

---

CHAIRMAN

---

DATE



## NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

**DATE:** May 8, 2020

**Date of Receipt:**

May 4, 2020

**Date of Completeness:**

May 4, 2020

**TO: Landowner:** 1140540 Alberta Ltd.

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

**Referral Agencies:** M.D. of Pincher Creek No. 9, Bev Everts, Livingstone Range School Division, AltaLink, FortisAlberta, TELUS, Chief Mountain Gas Co-op Ltd., AB Health Services - South Zone, AB Environment & Parks - J. Wu, Historical Resources Administrator, AER, Canada Post

**Adjacent Landowners:** John & Wendy Dunn, Neil & Iris Kathol, Blaine & Margaret Moen, Howard Davis, Ronald & Donna Davis, Ferol Davis, Amanda Neale, Thomas & Susan McIntosh, Glenn & Deborah Mayowski, Laura Dingreville, Mumeco Properties 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. 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 **May 27, 2020**. (Please quote our File No. **2020-0-065** in any correspondence with this office).

**File No.:** 2020-0-065

**Legal Description:** NW1/4 25-8-1-W5M

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

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

**Existing Use:** Agricultural

**Proposed Use:** Agricultural

**# of Lots Created:** 1

**Certificate of Title:** 071 612 750

**Meeting Date:** June 2, 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 117.10 acre (47.40 ha) lot and a 35.60 acre (14.40 ha) lot from a previously unsubdivided quarter section of 160 acres (64.7 ha) for agricultural use.

The proposal is to accommodate a cut-off subdivision which is fragmented by Road Plan 7722Q and 63771. Access to the lots is presently granted from a developed municipal roadway. The existing residence is serviced by a septic system and on-site domestic well.

This property is designated with a Historic Resource Value of 5. As this proposal is for first parcel out, 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 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 a road closure for that portion of Road Plan 63711 lying north of the current road alignment be prepared with the resolution being approved by the MD of Pincher Creek and subsequently consented to by the Minister of Infrastructure, prior to final registration of the subdivision.

**RESERVE:**

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

**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: <u>31046.00</u>	File No: <u>2020-0-065</u>
APPLICATION SUBMISSION	
Date of Receipt: <u>MAY 4 2020</u>	Received By: 
Date Deemed Complete: <u>MAY 4 / 20</u>	Accepted By: 

**1. CONTACT INFORMATION**

Name of Registered Owner of Land to be Subdivided: 1140540 ALBERTA INC.

Mailing Address: [REDACTED] City/Town: Calgary

Postal Code: [REDACTED] Telephone: [REDACTED] Cell: \_\_\_\_\_

Email: [REDACTED] Preferred Method of Correspondence: Email  Mail

Name of Agent (Person Authorized to act on behalf of Registered Owner): \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City/Town: \_\_\_\_\_

Postal Code: \_\_\_\_\_ Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_

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

Name of Surveyor: Thomas C. Penner, ALS brown okamura & associates ltd.

Mailing Address: 2830 - 12 Avenue North City/Town: Lethbridge

Postal Code: T1H 5J9 Telephone: 403-329-4688 ext. 128 Cell: \_\_\_\_\_

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

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

a. All/part of the NW ¼ Section 25 Township 8 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: 61.8 hectares 152.73 acres

d. Total number of lots to be created: 2 Size of Lot(s): 14.4 ha (35.6 ac) and 47.4 ha (117.1 ac)

e. Rural Address (if applicable): n/a

f. Certificate of Title No.(s): 071612750

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

a. The land is located in the municipality of MD 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 Ag / rural residence
- b. Proposed use of the land Ag / rural residence

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.) tree stands / brush
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) unknown
- 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. house
- 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

- a. Describe existing source of potable water Well
- b. Describe proposed source of potable water Same

7. SEWER SERVICES

- a. Describe existing sewage disposal: Type Tank to field Year Installed 2010
- b. Describe proposed sewage disposal: Type Same

8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF

I, Thomas C. Penner, ALS (boa file: 20-14864) 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: [Signature] Date: Apr 30/20

9. RIGHT OF ENTRY

I, Mark Schell 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.

[Signature] Apr 30/20  
Signature of Registered Owner(s)

Personal information collected on this form is collected in accordance with Section 653 of the Alberta Municipal Government Act and Section 33(c) of the Freedom of Information and Protection of Privacy Act. Please note that such information may be made public. If you have any questions about the information being collected, contact the Oldman River Regional Services Commission FOIP Coordinator at 403-329-1344.





LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0032 843 344            5;1;8;25;NW                      071 612 750

LEGAL DESCRIPTION

MERIDIAN 5 RANGE 1 TOWNSHIP 8  
SECTION 25  
QUARTER NORTH WEST  
CONTAINING 159 ACRES MORE OR LESS  
EXCEPTING THEREOUT:  
PORTIONS OF ROAD ON PLANS 7722Q AND 6377I AS SHOWN ON PLAN ATTACHED TO  
GRANT TS42 CONTAINING 6.27 ACRES MORE OR LESS.  
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 071 555 499

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
071 612 750	21/12/2007	TRANSFER OF LAND	[REDACTED]	[REDACTED]

OWNERS

1140540 ALBERTA INC.

[REDACTED]  
[REDACTED]

(DATA UPDATED BY: CHANGE OF ADDRESS 111032752)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
---------------------	--------------	-------------

[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

# 071 612 750

REGISTRATION  
NUMBER          DATE (D/M/Y)          PARTICULARS

081 182 680      21/05/2008      UTILITY RIGHT OF WAY  
GRANTEE - CHIEF MOUNTAIN GAS CO-OP LTD.

TOTAL INSTRUMENTS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 27 DAY OF APRIL,  
2020 AT 01:47 P.M.

ORDER NUMBER:    39219184

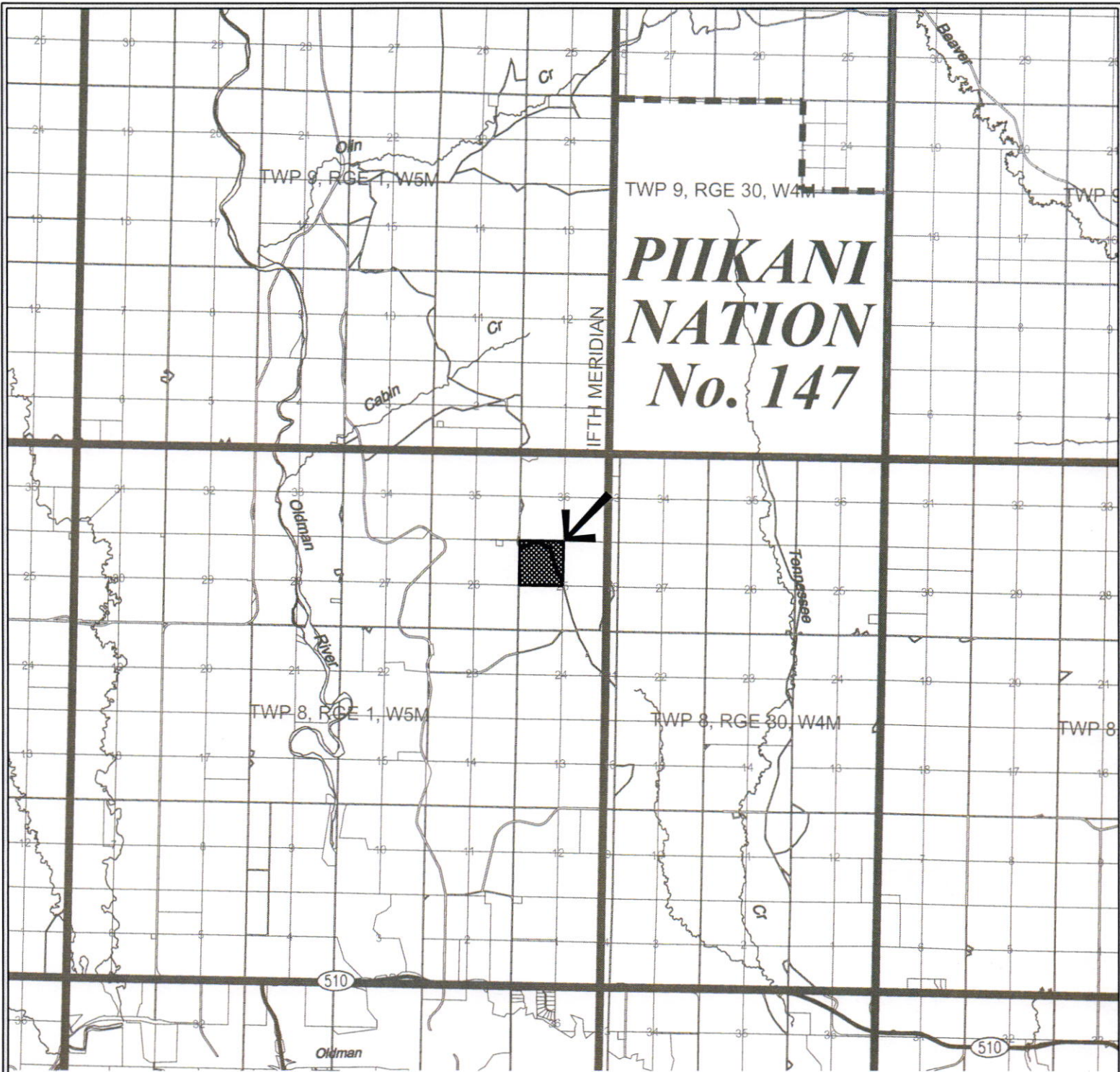
CUSTOMER FILE NUMBER:



\*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  
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).

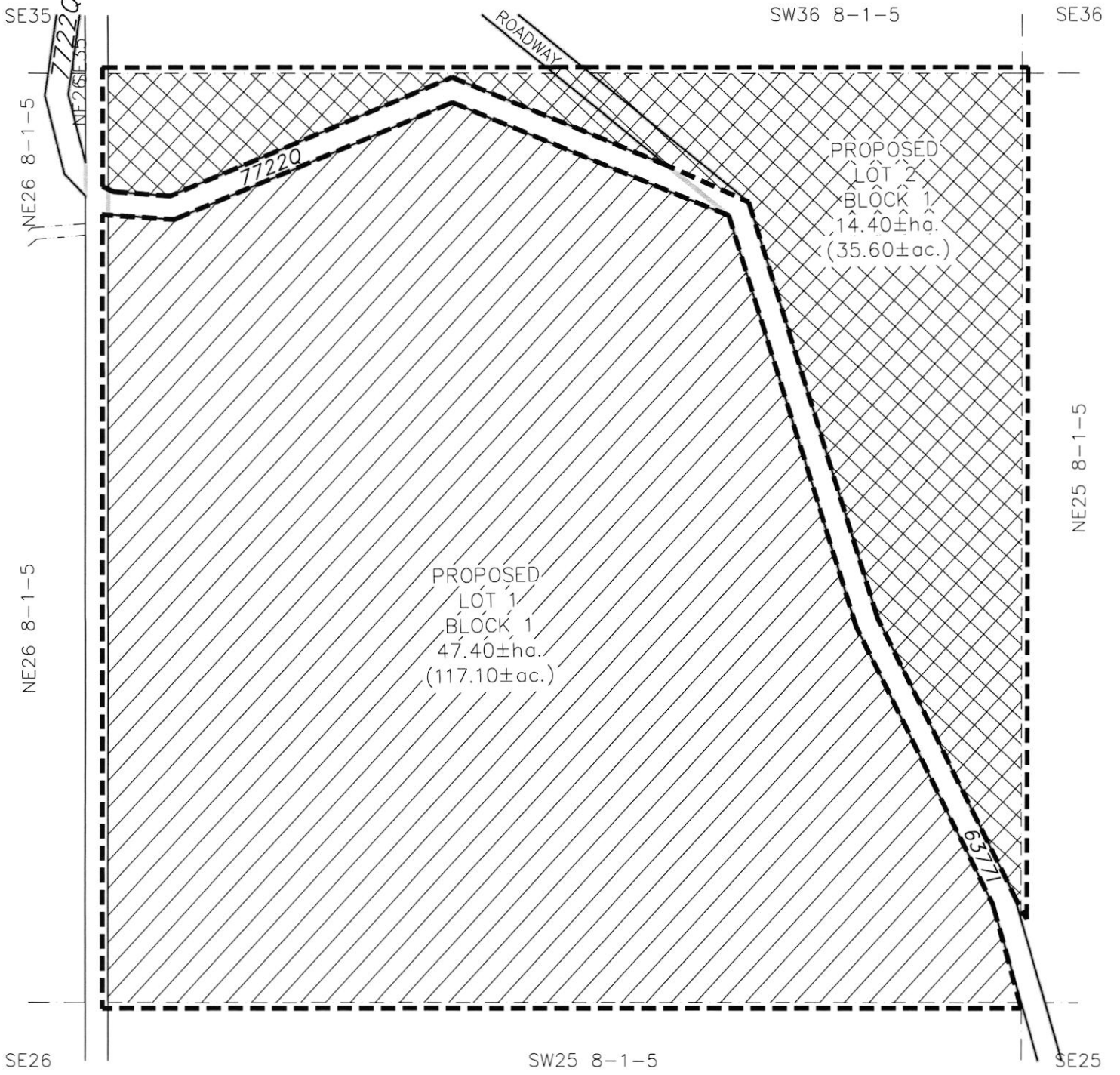


**PIIKANI  
NATION  
No. 147**

**SUBDIVISION LOCATION SKETCH  
 WITHIN NW 1/4 SEC 25, TWP 8, RGE 1, W 5 M  
 MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9  
 DATE: MAY 5, 2020  
 FILE No: 2020-0-065**

MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 3805 19th AVENUE NORTH, LETBYRD, AB T1N 1S8  
 \*NOT RESPONSIBLE FOR ERRORS OR OMISSIONS\*

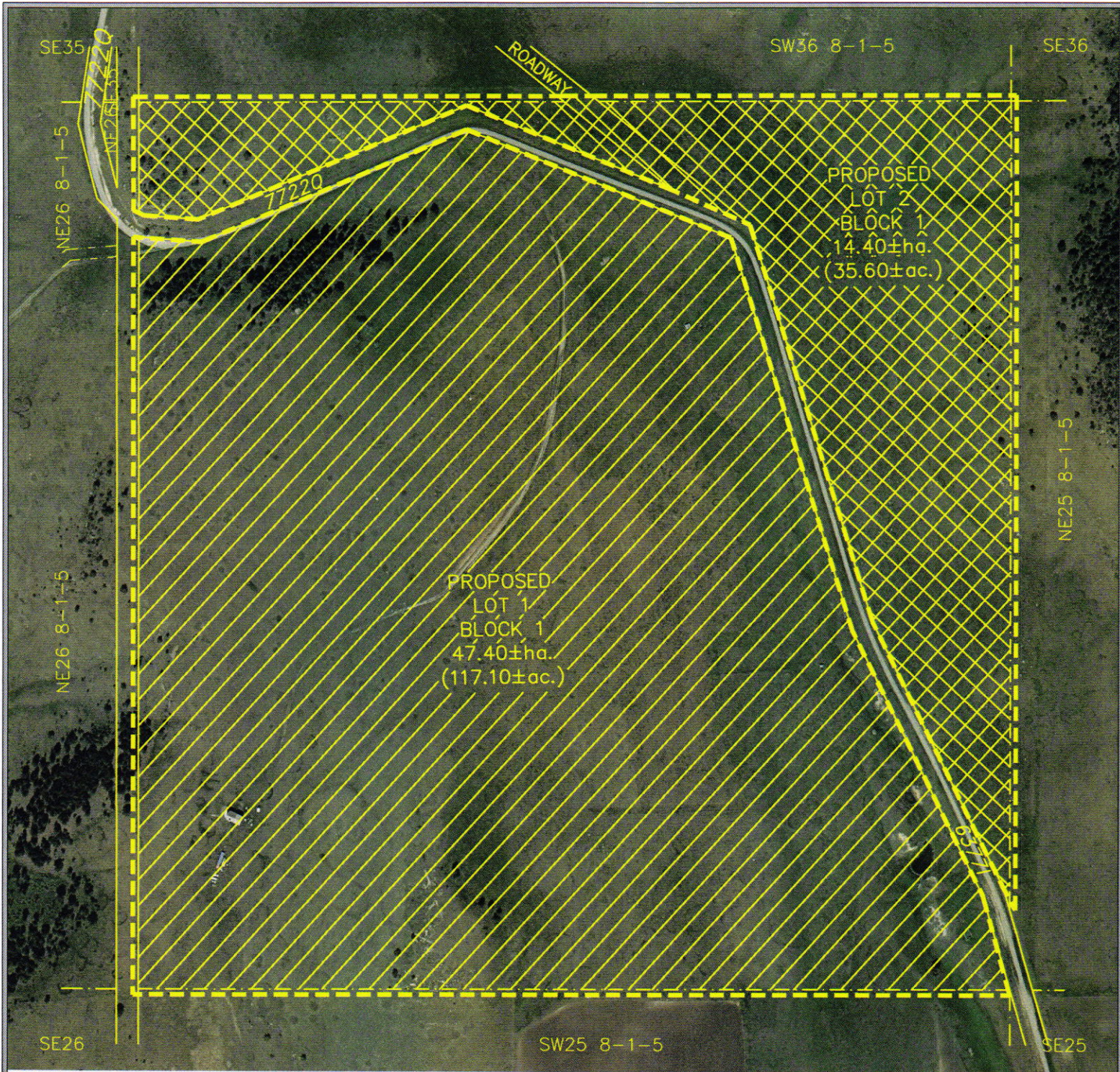




**SUBDIVISION SKETCH**  
**WITHIN NW 1/4 SEC 25, TWP 8, RGE 1, W 5 M**  
**MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9**  
**DATE: MAY 5, 2020**  
**FILE No: 2020-0-065**





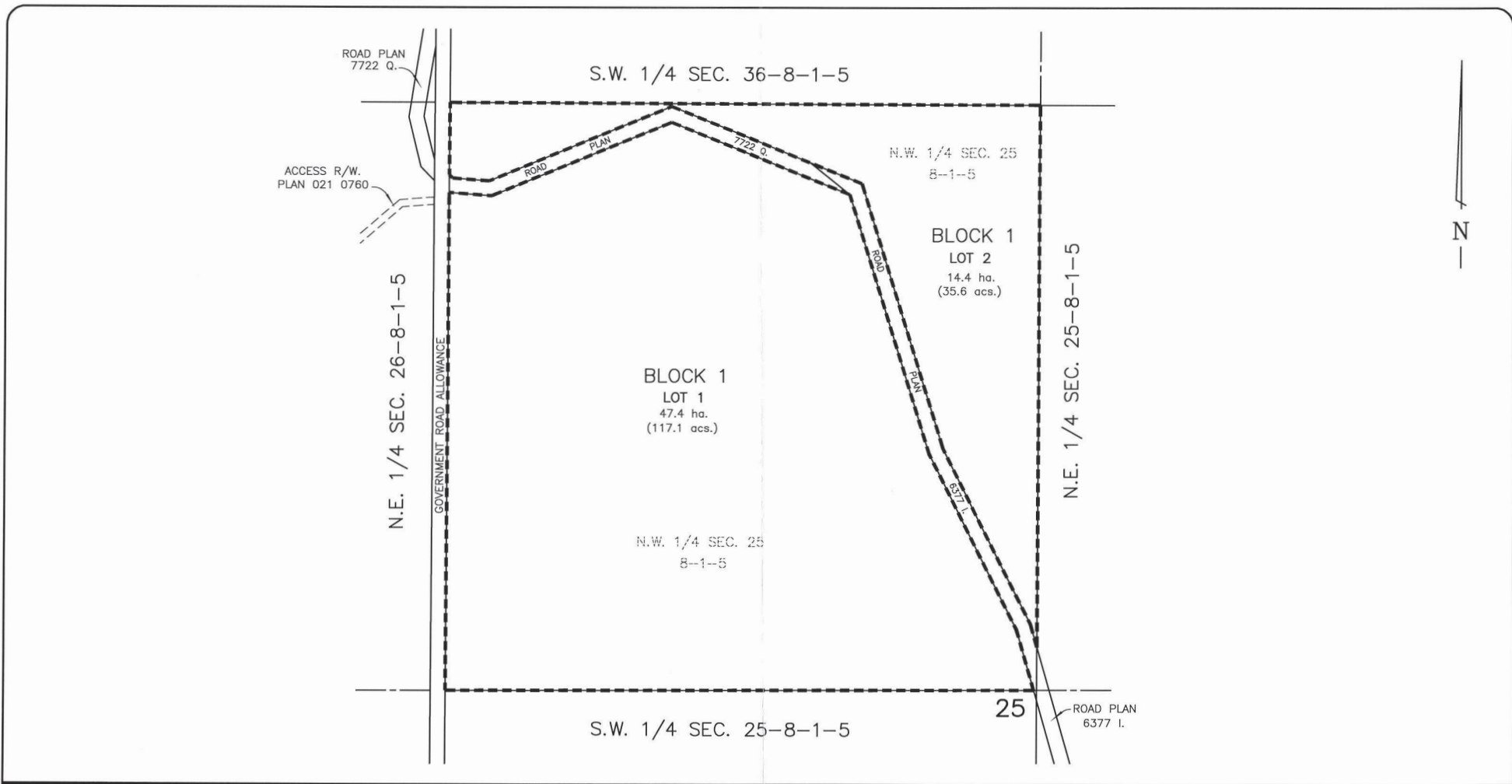


**SUBDIVISION SKETCH**  
 WITHIN NW 1/4 SEC 25, TWP 8, RGE 1, W 5 M  
 MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9  
 DATE: MAY 5, 2020  
 FILE No: 2020-0-065



AERIAL PHOTO DATE: 2015





NO.	REVISION	DATE	BY

NOTE : Portion to be approved is outlined thus **- - - - -** and contains approximately 61.8 ha.  
 Distances are in metres and decimal parts thereof.  
 Distances and areas are approximate and are subject to change upon final survey.

1140540 Alberta Ltd.

TENTATIVE PLAN SHOWING SUBDIVISION  
 of part of  
 N.W. 1/4 SEC. 25, TWP. 8, RGE. 4, W.5 M.

Municipal District of Pincher Creek No. 9

**boa** brown okamura & associates ltd.  
 Professional Surveyors  
 2830 - 12th Avenue North, Lethbridge, Alberta

APPROVED	DRAWN jn	DATE APRIL 17 '20
T. C. Penner, A.L.S.	CHECKED TCP	JOB 20-14864
	SCALE 1:5000	DRAWING 20-14864T