

**Agenda**  
**Municipal District of Pincher Creek No. 9**  
**Subdivision Authority Meeting**  
**January 5, 2021**  
**6:00 pm**

**1. Adoption of Agenda**

**2. Adoption of Minutes**

- a. Minutes of November 3, 2020

**3. Closed Meeting Session**

**4. Unfinished Business**

**5. Subdivision Application**

- a. Subdivision Application No. 2020-0-152  
Antonio Olivieri, Giovannie Olivieri & Rosina Olivieri  
NW1/4 15-8-2 W5M

**6. New Business**

- a. Subdivision Application No. 2018-0-185  
Sheran Carter – **Request to waive Reserve**  
NE 16-6-30 W4M and S ½ 21-6-30 W4M

**7. Next Regular Meeting** February 2, 2021 6:00 pm

**8. Adjournment**

**Meeting Minutes of the Subdivision Authority  
Tuesday, November 3, 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,  
CAO Troy MacCulloch and 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 6:00 pm.

**1. ADOPTION OF AGENDA**

Councillor Terry Yagos 20/042

Moved that the Subdivision Authority Agenda for November 3, 2020, be approved as presented.

Carried

**2. ADOPTION OF MINUTES**

Councillor Bev Everts 20/043

Moved that the October 6, 2020 Subdivision Authority Minutes, be approved as presented.

Carried

**3. CLOSED MEETING SESSION**

Councillor Quentin Stevick 20/044

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

Carried

Councillor Quentin Stevick 20/045

Moved that the Subdivision Authority open the meeting to the public, the time being 6:38 pm.

Carried

MINUTES  
SUBDIVISION AUTHORITY  
Municipal District of Pincher Creek No. 9  
November 3, 2020

**4. UNFINISHED BUSINESS**

- a. Subdivision Application No. 2020-0-113  
Ryan Douglas McClelland and Jessica Rose McClelland  
SE1/4 16-6-2 W5M

Councillor Quentin Stevick

20/046

Moved that the Public Utility subdivision of SE1/4 16-6-2-W5M (Certificate of Title No. 061 325 228 +1), to create a 14.71 acre (5.95 ha) parcel from a title of 146.58 acres (59.3 ha) for public utility 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 14.71 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 applicant provide copies of the approval documents provided by Alberta Environment and Parks to the subdivision authority prior to finalization.

Carried

**5. SUBDIVISION APPLICATIONS**

- a. Subdivision Application No. 2020-0-107  
Jerret Robert March and Kathryn Rose Sinnott, Frank Robert Marsh and  
Jacqueline Janine Marsh  
Lot 1, Block 1, Plan 0111088 and a portion of the NW1/4 12-6-1-W5M

Councillor Terry Yagos

20/047

Moved that the Country Residential subdivision of Lot 1, Block 1, Plan 0111088 & a portion of the NW1/4 12-6-1-W5M (Certificate of Title No. 101 080 261, 101 080 291), to create a 4.58 acre (1.85 ha) parcel from two titles of 2.97 acres (1.2 ha) and 82.76 acres (33.49 ha) respectively, for country residential use; **BE APPROVED** subject to the following:

MINUTES  
SUBDIVISION AUTHORITY  
Municipal District of Pincher Creek No. 9  
November 3, 2020

**RESERVE:**

That 10% reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on the 1.61 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 Certificate of Title 101080291 be consolidated with the Lot 1, Block 1, Plan 0111088 in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.
4. That a 10m linear width be subdivided and included in the final plan of survey containing the offsite domestic well and its service line.

Carried

- b. Subdivision Application No. 2020-0-110  
1817323 Alberta Ltd.  
Lot 3, Block 1, Plan 1313435 within N1/2 22-5-1-W5M

Councillor Bev Everts

20/048

Moved that the Country Residential subdivision of Lot 3, Block 1, Plan 1313435 within N1/2 22-5-1-W5M (Certificate of Title No. 141 265 469), to create a 9.67 acre (3.91 ha) parcel from a title of 149.35 acres (60.44ha) for country residential use; BE APPROVED subject to the following:

**RESERVE:**

The 10% reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on the 9.67 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.

MINUTES  
SUBDIVISION AUTHORITY  
Municipal District of Pincher Creek No. 9  
November 3, 2020

**CONDITIONS:**

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

Carried

- c. Subdivision Application No. 2020-0-121  
Audrey J Westrop  
SW1/4 31-6-29-W4M

Councillor Rick Lemire

20/49

Moved that the Agricultural subdivision of SW1/4 31-6-29-W4M (Certificate of Title No. 191 175 331 +11, 191 175 331 +15), to create a 79.91 acre (32.34 ha) lot and a 72.10 acre (29.18 ha) lot (in two parts) from two titles of 80.66 acres (32.64 ha) and 70.0 acres (28.33 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.
3. That the portions of Certificate of Title 191175331+11 (as described in BOA tentative plan 20-14999T) be consolidated with the adjacent portion of Certificate of Title 191175331+15 in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.

Carried

**6. NEW BUSINESS**

Nil

**7. NEXT MEETING** – Tuesday, December 1, 2020; 6:00 pm.

**8. ADJOURNMENT**

**MINUTES  
SUBDIVISION AUTHORITY  
Municipal District of Pincher Creek No. 9  
November 3, 2020**

Councillor Terry Yagos

20/050

Moved that the meeting adjourn, the time being 6:39 pm.

Carried

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Brian Hammond, Chair  
Subdivision Authority

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Roland Milligan, Secretary  
Subdivision Authority

DRAFT

## DRAFT RESOLUTION

Our File: 2020-0-152

December 18, 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 15-8-2-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, FortisAlberta, 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

2020-0-152

**M.D. of Pincher Creek No. 9 Country Residential** subdivision of NW1/4 15-8-2-W5M

THAT the Country Residential subdivision of NW1/4 15-8-2-W5M (Certificate of Title No. 131 300 222), to create a 10 acre (4.04 ha) parcel from a previously unsubdivided quarter section of 160 acres (64.7 ha) for country residential use; BE APPROVED subject to the following:

## CONDITIONS:

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

## 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.

## 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 mentioned circulation.
- (e) ATCO Gas has no need for a Utility Right of Way on the subject property at this time, and therefore has no objection to the proposed subdivision.
- (f) ATCO Transmission high pressure pipelines has no objections. Questions or concerns can be forwarded to [hp.circulations@atco.com](mailto:hp.circulations@atco.com).
- (g) Alberta Health Services – Wade Goin, Executive Officer/Public Health Inspector:

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

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

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



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

“Reference your file to create a parcel for country residential use at the above noted location.

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

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

To that end, the parcel to be created and remnant land will be well removed from Highway 22 with indirect access to the highway being gained solely by way of the local road system. As such, strictly from Alberta Transportation’s point of view, we do not anticipate that the creation of the country residential parcel as proposed would have any appreciable impact on the highway.

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

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

The subject property is not within the noted control lines and given that development setbacks will be maintained by default and all access to the highway is indirect by way of the local road system, in this instance a permit from Alberta Transportation will not be required and development of the country residential parcel could proceed under the direction, control and management of the municipal district. The applicant could contact the undersigned, at Lethbridge 403/382-4052, in this regard.

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

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

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

(i) Canada Post has no comment.

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CHAIRMAN

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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@orrc.com](mailto:subdivision@orrc.com)  
Website: [www.orrc.com](http://www.orrc.com)

## NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

**DATE:** December 7, 2020

**Date of Receipt:** November 30, 2020

**Date of Completeness:** December 2, 2020

**TO: Landowners:** Antnio Olivieri, Giovanni Olivieri and Rosina Olivieri

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

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

**Adjacent Landowners:** Berwin Joseph Pisony, Debra Marie Bachura, Douglas & Sarah Connelly, James Douglas & Jeannie Rena Parker, Jerold Wayne Hodgson, Mary Adelaide Ericksen, Murray W & Patricia F Pisony, Roger Alland & Cathy Alexis Pisony, Stephen Walter Sapeta, Terrance E & Susan Aris, Terry Douglas Parker

**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 **December 28, 2020**. (Please quote our File No. **2020-0-152** in any correspondence with this office).

**File No:** 2020-0-152

**Legal Description:** NW1/4 15-8-2-W5M

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

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

**Existing Use:** Agricultural

**Proposed Use:** Country Residential

**# of Lots Created:** 1

**Certificate of Title:** 131 300 222

**Proposal:** To create a 10 acre (4.04 ha) parcel from a previously unsubdivided quarter section of 160 acres (64.7 ha) for country residential use.

**Planner's Preliminary Comments:**

The purpose of this application is to create a 10 acre (4.04 ha) parcel from a previously unsubdivided quarter section of 160 acres (64.7 ha) for country residential use.

The proposal is to accommodate the subdivision of a country residence in progress, which presently contains a dwelling foundation and shed. 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 proposed to be serviced by a septic system and on-site domestic well.

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

1. Any outstanding property taxes shall be paid to the MD of Pincher Creek.
2. The applicant or owner or both enter into a Development Agreement with the MD.
3. Provision of a surveyors sketch to illustrate lot dimensions and improvements on site.
4. Consideration of adjacent landowners and referral agencies comments.
5. That any easement(s) as required by utility companies or the municipality shall be established prior to finalization of the application.
6. That any conditions of Alberta Transportation shall be established prior to finalization of the application.

**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:<br>\$1040.00                      | File No:<br>2020-0-152             |
| APPLICATION SUBMISSION                           |                                    |
| Date of Receipt:<br>November 30, 2020            | Received By:<br><i>[Signature]</i> |
| Date Deemed Complete:<br>December 1, 2020        | Accepted By:<br><i>[Signature]</i> |

**1. CONTACT INFORMATION**

Name of Registered Owner of Land to be Subdivided: Antonio Olivieri, Giovannie Olivieri & Rosina Olivieri  
 Mailing Address: [Redacted] City/Town: [Redacted]  
 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: David J. Amantea, ALS, P.Eng brown okamura & associates ltd.  
 Mailing Address: 2830 - 12 Avenue North City/Town: Lethbridge  
 Postal Code: T1H 5J9 Telephone: 403-329-4688 ext. 129 Cell: \_\_\_\_\_  
 Email: david@bokamura.com Preferred Method of Correspondence: Email  Mail

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

- a. All/part of the NW ¼ Section 15 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): 4.04 Ha (10 Acres)
- e. Rural Address (if applicable): \_\_\_\_\_
- f. Certificate of Title No.(s): 131 300 222

**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. \_\_\_\_\_
- 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 New Residential Yard

b. Proposed use of the land No Change

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.)  
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.  
New House Being Built

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 None

b. Describe proposed source of potable water Well to be drilled on parcel

7. SEWER SERVICES

a. Describe existing sewage disposal: Type None Year Installed N/A

b. Describe proposed sewage disposal: Type Well to be drilled on parcel SEPTIC TO BE INSTALLED

8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF

I, David J. Amantea, ALS, P.Eng (boa file: 20-15068) 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.

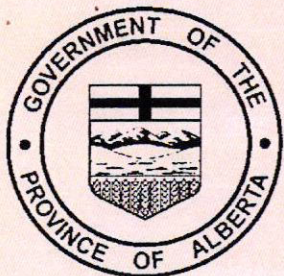
Signed: [Signature] Date: Nov 10/2020

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.

x Giovanni Olivieri x [Signature]  
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 211 677            5;2;8;15;NW                      131 300 222

LEGAL DESCRIPTION  
MERIDIAN 5 RANGE 2 TOWNSHIP 8  
SECTION 15  
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: 921 165 544

-----  
REGISTERED OWNER(S)  
REGISTRATION      DATE (DMY)      DOCUMENT TYPE      VALUE      CONSIDERATION  
-----  
131 300 222      22/11/2013      TRANSFER OF LAND      [REDACTED]      [REDACTED]

OWNERS

ANTONIO OLIVIERI

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

GIOVANNI OLIVIERI

AND

ROSINA OLIVIERI

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

-----  
ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 131 300 222

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

201 174 023      28/09/2020 CAVEAT  
RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL  
GOVERNMENT ACT  
CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK  
NO. 9.  
BOX 279, PINCHER CREEK  
ALBERTA T0K1W0

TOTAL INSTRUMENTS: 001

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 13 DAY OF  
OCTOBER, 2020 AT 03:28 P.M.

ORDER NUMBER:    40303087

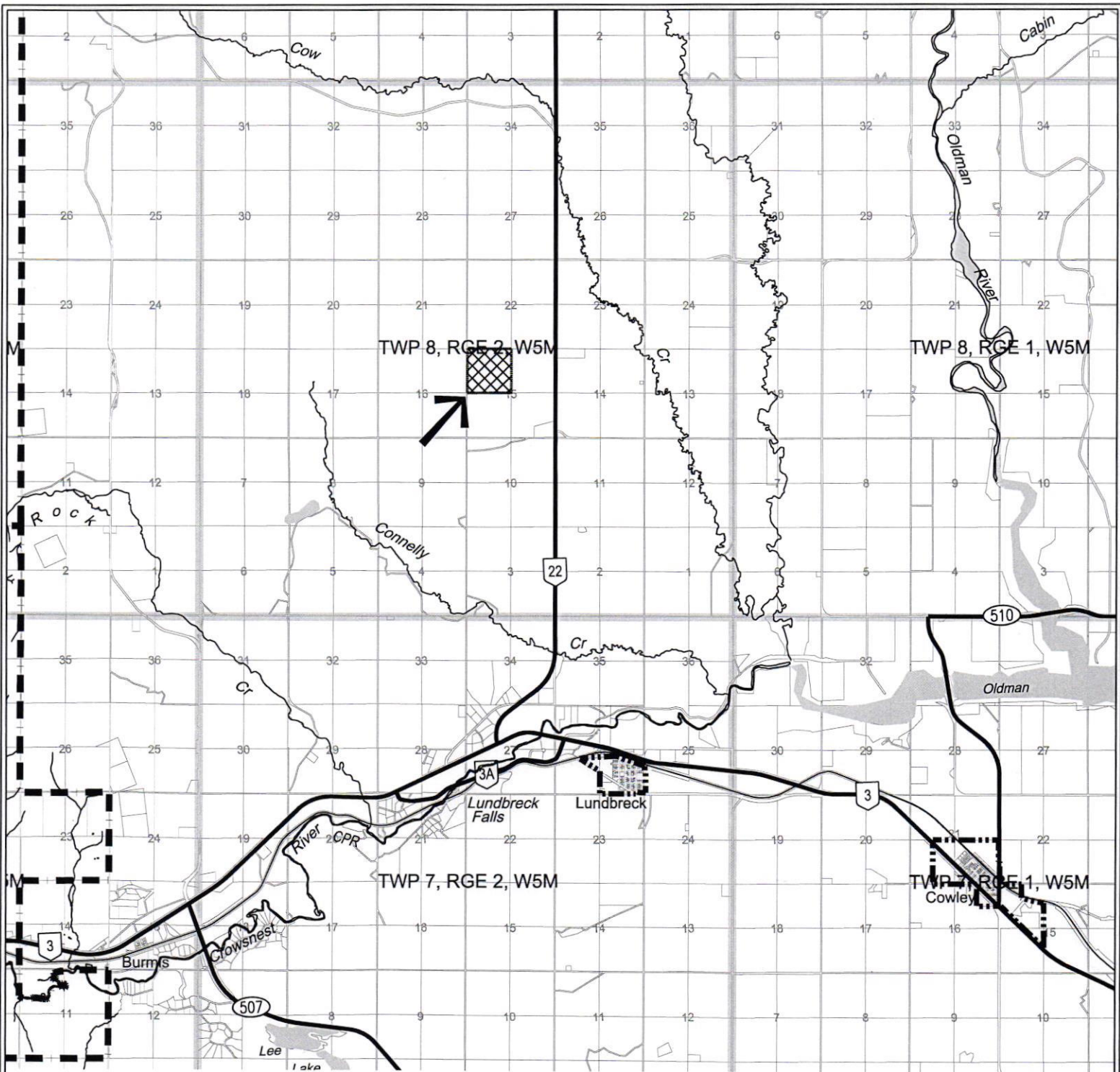
CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

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

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



**SUBDIVISION LOCATION SKETCH**

**NW 1/4 SEC 15, TWP 8, RGE 2, W 5 M**

**MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9**

**DATE: DECEMBER 2, 2020**

**FILE No: 2020-0-152**

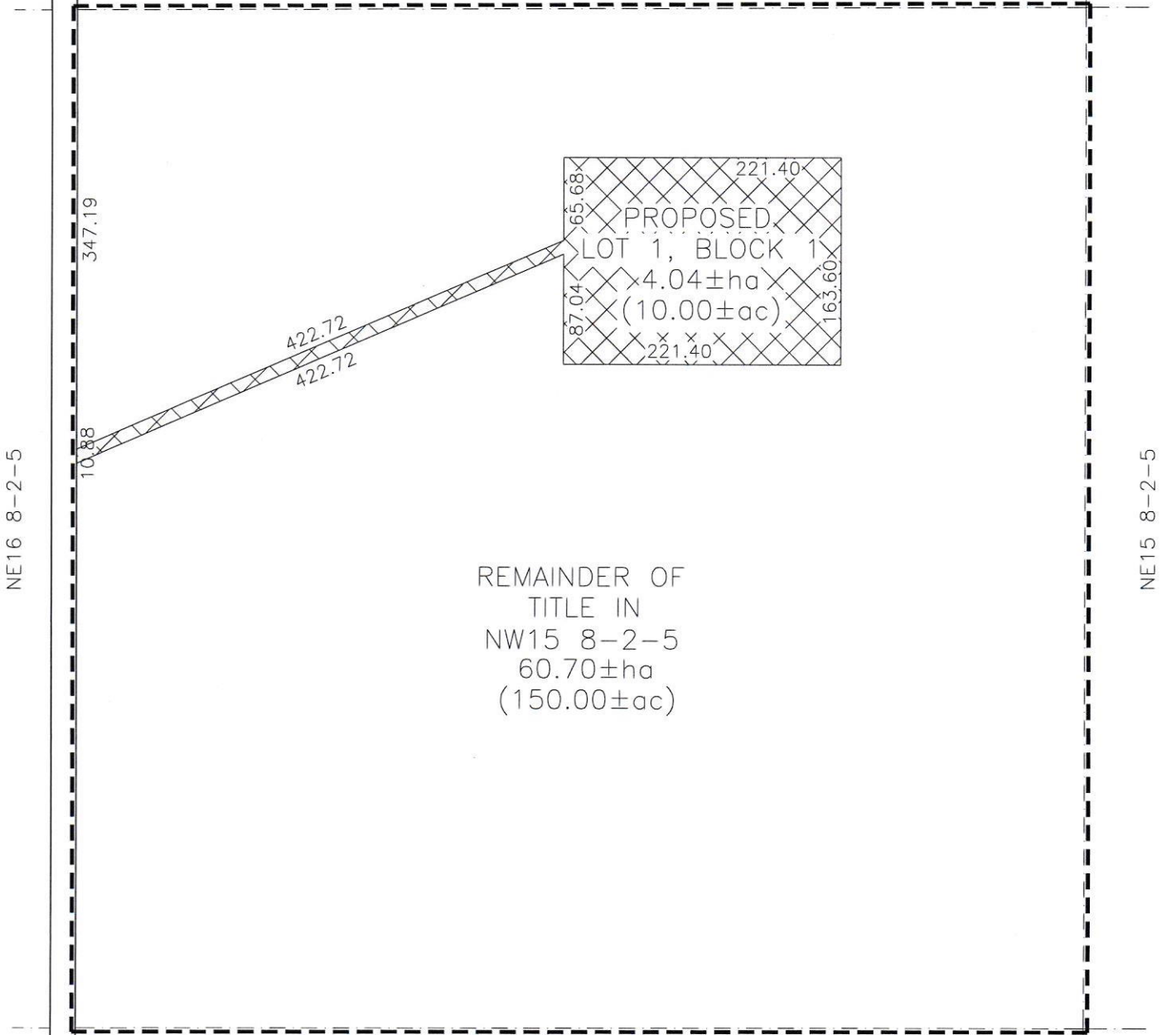
MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 3105 18th AVENUE NORTH, LETHBRIDGE, AB T1H 5E8  
 \*NOT RESPONSIBLE FOR ERRORS OR OMISSIONS\*



SE21

SW22 8-2-5

SE22



REMAINDER OF  
TITLE IN  
NW15 8-2-5  
60.70±ha  
(150.00±ac)

### SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 20-15068T

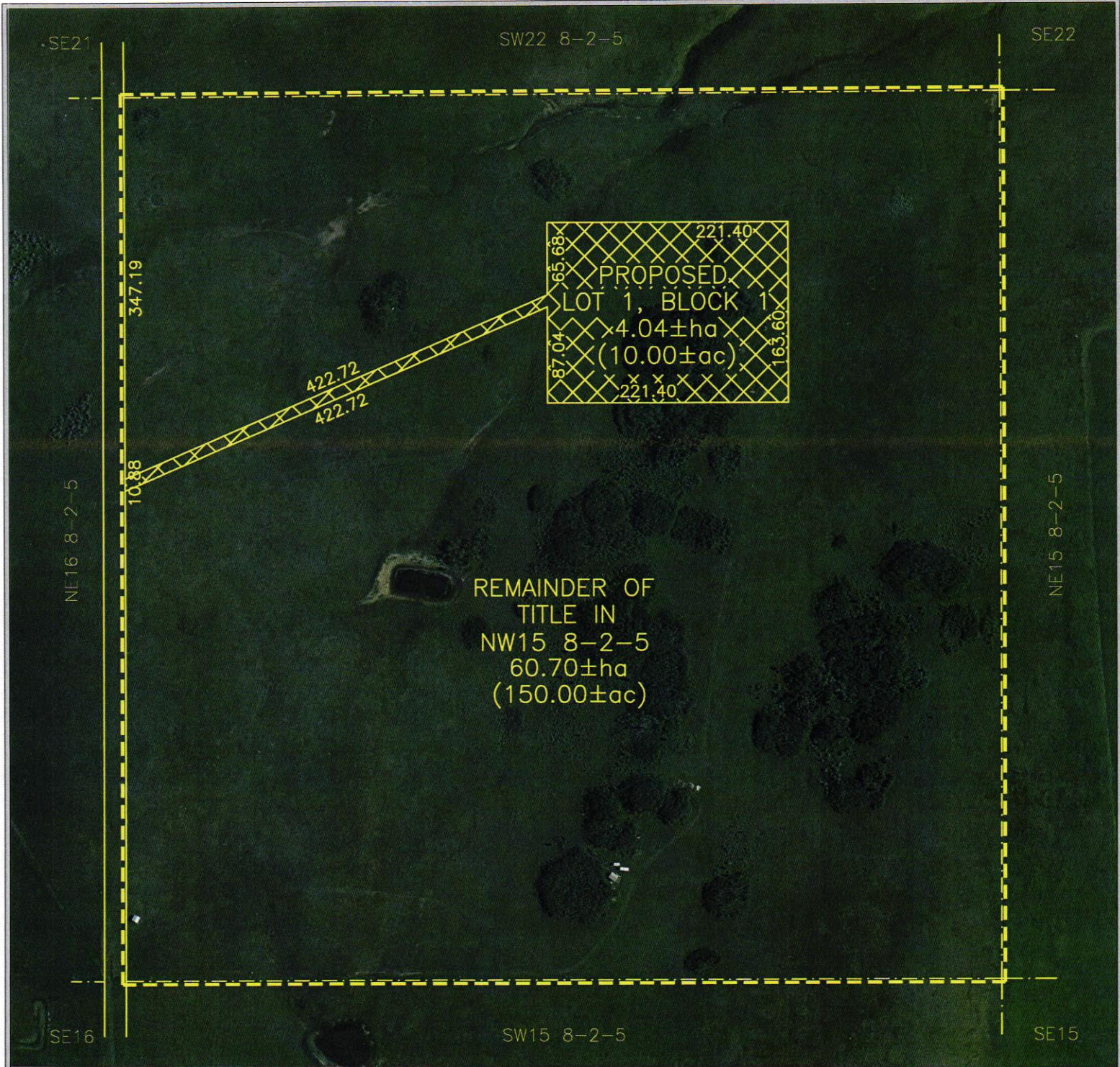
NW 1/4 SEC 15, TWP 8, RGE 2, W 5 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: DECEMBER 2, 2020

FILE No: 2020-0-152





## SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 20-15068T

NW 1/4 SEC 15, TWP 8, RGE 2, W 5 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: DECEMBER 2, 2020

FILE No: 2020-0-152



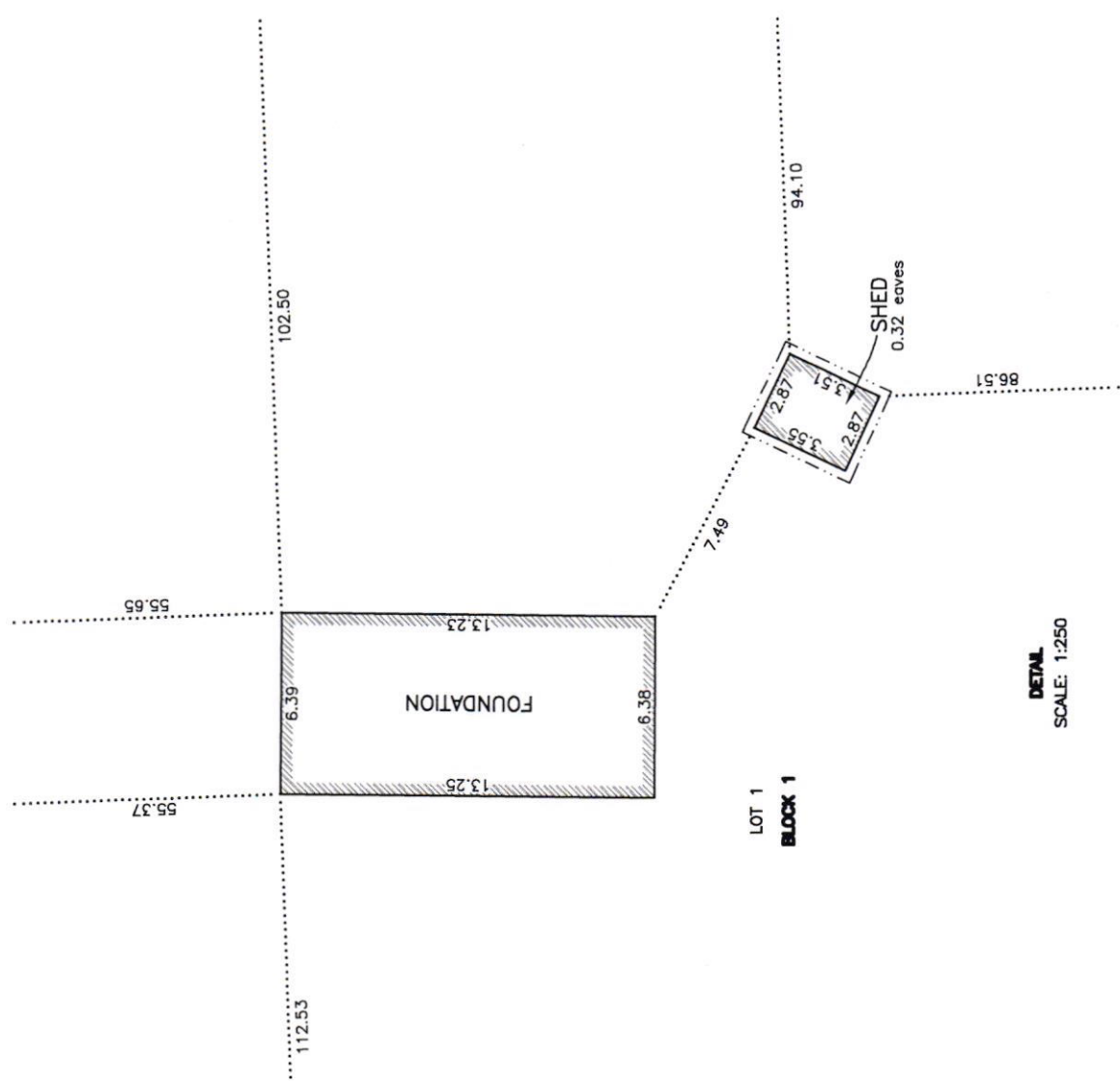
S.W.1/4 SEC. 22 - 8 - 2 - 5

N.W.1/4 SEC. 15 - 8 - 2 - 5

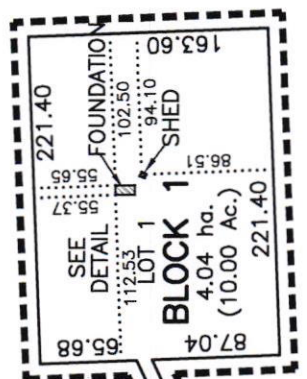
S.W.1/4 SEC. 15 - 8 - 2 - 5

N.E.1/4 SEC. 15 - 8 - 2 - 5

N.E.1/4 SEC. 16 - 8 - 2 - 5



DETAIL  
SCALE: 1:250



347.19  
10.88  
GOVERNMENT ROAD ALLOWANCE

15

### TONY OLIVIERI

TENTATIVE PLAN SHOWING SUBDIVISION  
of part of  
N.W.1/4 SEC. 15; TWP. 8; RGE. 2; W.5 M.

MUNICIPAL DISTRICT OF PINCHER CREEK No. 9



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

APPROVED  
DRAWN CJB  
CHECKED DJA  
SCALE 1:5000

DATE NOV. 2/20  
JOB 20-15068  
DRAWING 20-15068T

D. J. Amantea, A.L.S.

| NO. | REVISION | DATE | BY |
|-----|----------|------|----|
|     |          |      |    |

Improvements shown were surveyed on October 22nd, 2020  
NOTE : Portion to be approved is outlined thus -----  
and contains approximately 4.04 ha.  
Distances are in metres and decimal parts thereof.

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

LETTER TO SUBDIVISION AUTHORITY  
REQUEST TO WAIVE RESERVE

December 18, 2020

SUBDIVISION AUTHORITY BOARD  
P.O. Box 279  
Pincher Creek, AB  
TOK 1W0

REQUEST TO WAIVE RESERVE

RE: SEPTEMBER SPRINGS RANCH

LEGAL:      **PART 1**    SE 21-6-30-W4    62.80    acres  
                 **PART 2**    NE 16-6-30-W4    14.40    acres  
                 Total 77.20    acres

Hopefully I will be able to explain as accurately as I can the events leading up to my request for waiving the Reserve requirement at this time.

In August of 1994 we purchased PART 1 from a Dr. Davis. Earlier Dr. Davies had sold PART 2 located immediately South of PART 1 and North of the Pincher Creek to neighbour Charlie Price.

In 1997 Charlie Price approached us and we re-purchased PART 2 to combine the original 77,20 acres. In 2016 I decided that with the Ranch so close to

Town, the vacant land not really being utilised at all with such a spectacular view that it should be shared. So I began on a Development adventure planning to develop twenty 3 acre lots.

After spending a great deal of time and thousands of dollars completing all the necessary surveys and Geotechnical Studies and dealing with a number of issues which included requiring and resolving access to Range Rd 6-3A because of a curve from Highway 507 it was already late 2018 and it was my decision to let another Developer enjoy the experience of developing this beautiful piece of property.

It was suggested to me that it would be much simpler and possible to move a property line when a person owns two adjacent properties so we embarked on another adventure that was not simple.

My reason to attempt to move the property line was that it seemed wise to separate my buildings from the rest of the vacant land so it would expedite the development of as much unused land as possible.

Unfortunately, it was suddenly required to have the Pincher Creek totally re-surveyed and to obtain signatures and documents from all neighbours with any type of interest along the Creek.

This has required a lot of time, energy and even more

great cost. This request for Approval has taken basically 2 years and has put me in a difficult financial position, especially because of the added stress of the COVID 19.

Finally it appeared that we were in a position to negotiate with a Developer and then I was informed that the ORRSC required a payment of a 'Subdivision' Reserve fee of over \$6000 before I could receive any approval.

First of all I do not understand how only moving a border makes it a 'Subdivision', but also I have been told that there is precedence in the MD waiving the reserve until development.

More importantly because of the Pandemic and the difficult position that it has put us in I currently barely have enough funds available to even cover basic expenses.

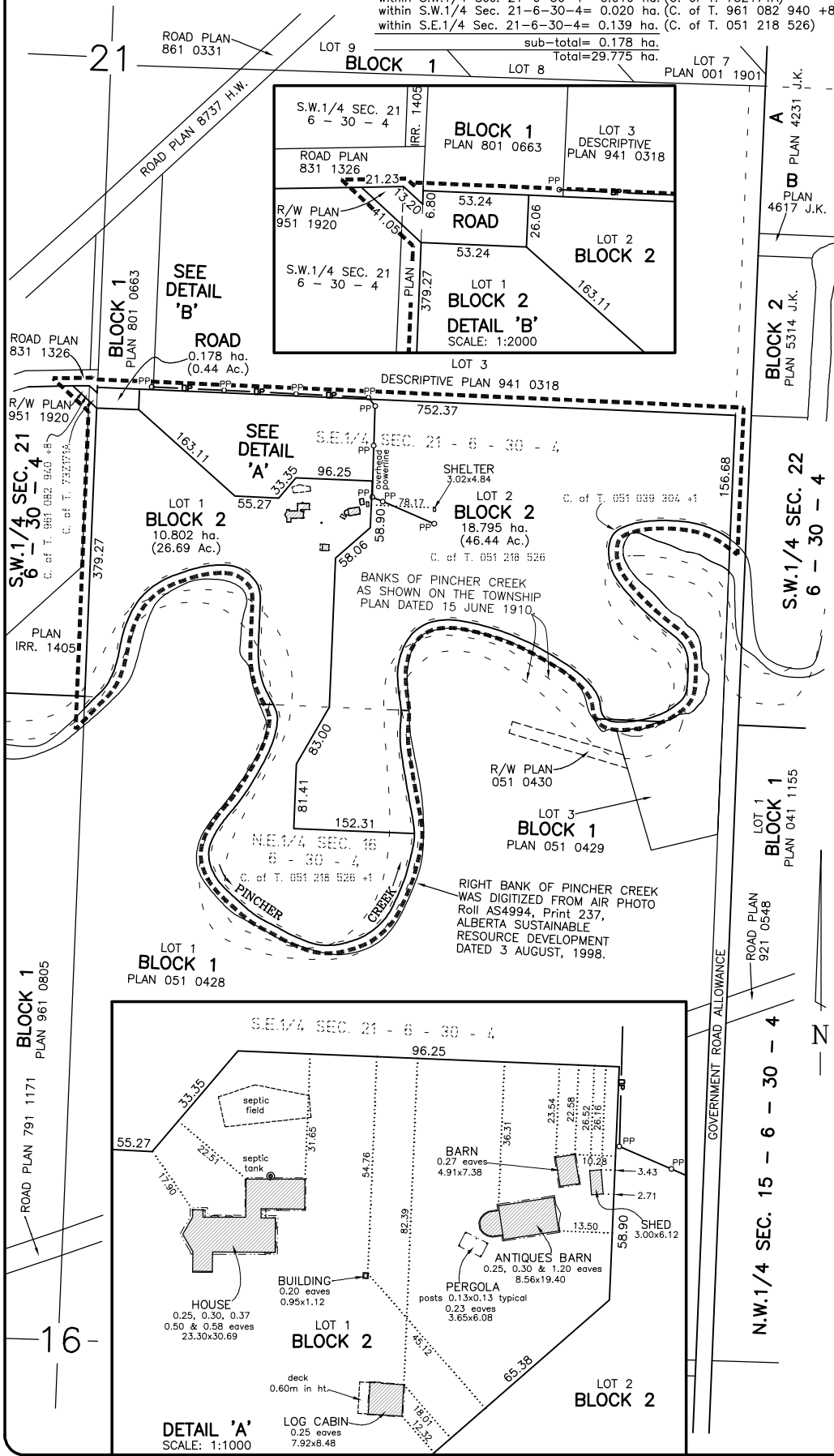
It would be very much appreciated if your Board would seriously consider my request.

Thank you,

Sheran Carter

**TABLE OF AREAS**

|                                |            |                           |  |
|--------------------------------|------------|---------------------------|--|
| <b>LOT 1; BLOCK 2</b>          |            |                           |  |
| within S.E.1/4 Sec. 21-6-30-4= | 6.837 ha.  | (C. of T. 051 218 526)    |  |
| within S.E.1/4 Sec. 21-6-30-4= | 0.332 ha.  | (C. of T. 051 039 304 +1) |  |
| within N.E.1/4 Sec. 16-6-30-4= | 3.633 ha.  | (C. of T. 051 218 526 +1) |  |
| sub-total=10.802 ha.           |            |                           |  |
| <b>LOT 2; BLOCK 2</b>          |            |                           |  |
| within N.E.1/4 Sec. 16-6-30-4= | 1.945 ha.  | (C. of T. 051 218 526 +1) |  |
| within S.E.1/4 Sec. 21-6-30-4= | 16.524 ha. | (C. of T. 051 218 526)    |  |
| within S.E.1/4 Sec. 21-6-30-4= | 0.326 ha.  | (C. of T. 051 039 304 +1) |  |
| sub-total=18.795 ha.           |            |                           |  |
| <b>ROAD</b>                    |            |                           |  |
| within S.W.1/4 Sec. 21-6-30-4= | 0.019 ha.  | (C. of T. 732171A)        |  |
| within S.W.1/4 Sec. 21-6-30-4= | 0.020 ha.  | (C. of T. 961 082 940 +8) |  |
| within S.E.1/4 Sec. 21-6-30-4= | 0.139 ha.  | (C. of T. 051 218 526)    |  |
| sub-total= 0.178 ha.           |            |                           |  |
| Total=29.775 ha.               |            |                           |  |



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

|                       |         |     |         |            |
|-----------------------|---------|-----|---------|------------|
| APPROVED              | DRAWN   | CJB | DATE    | NOV. 23/18 |
|                       | CHECKED | DJA | JOB     | 18-14287   |
|                       | SCALE   |     | DRAWING | 18-14287T  |
|                       |         |     |         | 1:5000     |
| D. J. Amantea, A.L.S. |         |     |         |            |

**SHERAN CARTER**

TENTATIVE PLAN SHOWING SUBDIVISION  
of part of  
N.E.1/4 SEC. 16 & S.1/2 SEC. 21  
all within  
TWP. 6; RGE. 30; W.4 M.  
MUNICIPAL DISTRICT OF PINCHER CREEK No. 9

| NO. | REVISION   | DATE | BY |
|-----|--|------|----|
|     | Improvements shown were surveyed on November 8th, 2018 |      |    |
|     | NOTE : Portion to be approved is outlined thus         |      |    |
|     | and contains approximately 29.775 ha.                  |      |    |
|     | Distances are in metres and decimal parts thereof.     |      |    |
|     | Overhead line is shown thus                            |      |    |
|     | PP stands for utility pole.                            |      |    |
|     | Distances and areas are approximate and are            |      |    |
|     | subject to change upon final survey.                   |      |    |

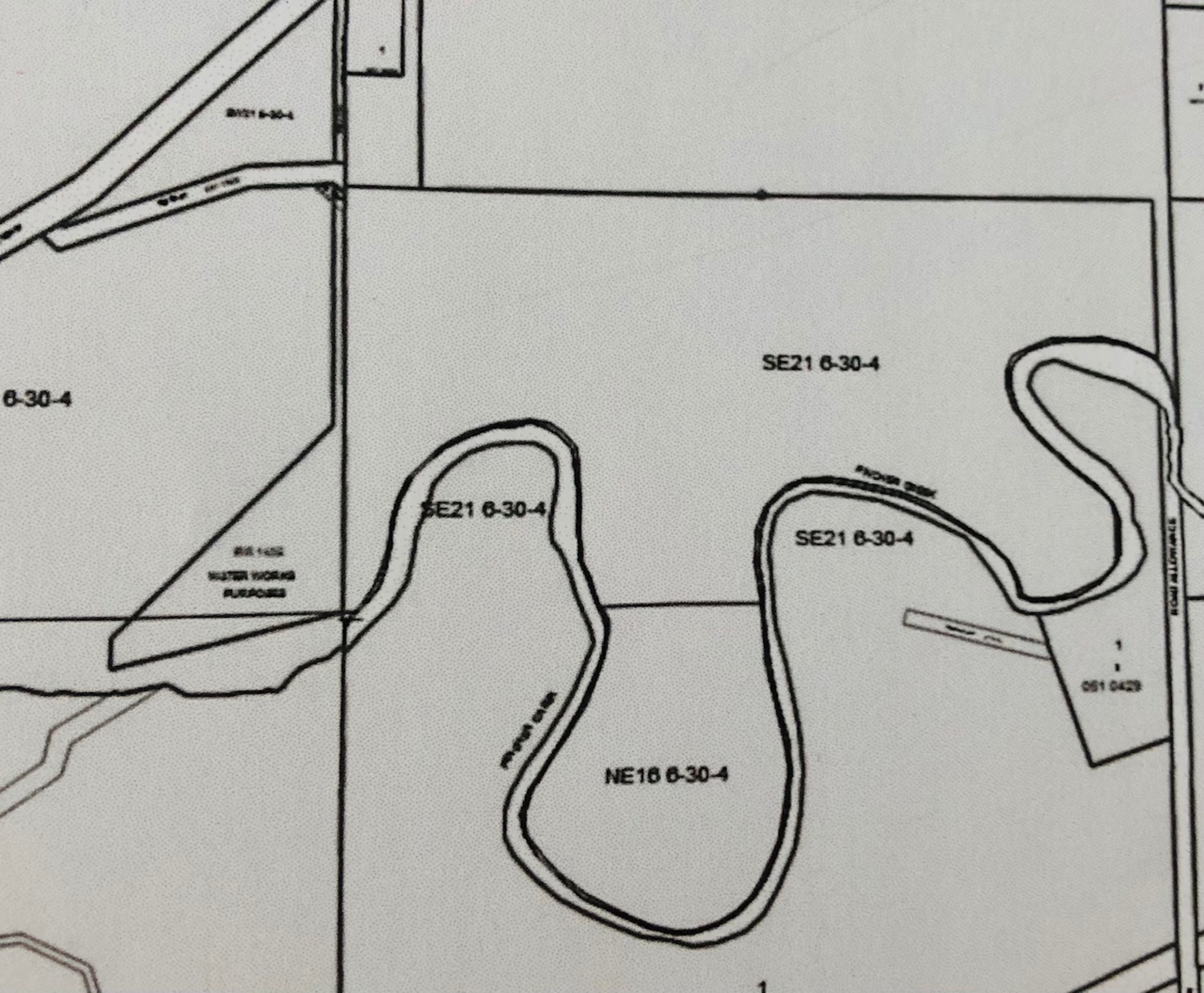












SE21 6-30-4

6-30-4

SE21 6-30-4

SEE 1422  
WATER WORKS  
PURPOSES

SE21 6-30-4

SE21 6-30-4

NE16 6-30-4

051 0429

FROSE CREEK

FROSE CREEK

ROAD ALLOWANCE

SE21 6-30-4

SE21 6-30-4

SE21 6-30-4

NE16 6-30-4

SE1 6-30-4

