

Agenda
Municipal District of Pincher Creek No. 9
Subdivision Authority
September 2, 2014
4:30 pm

- 1. Adoption of Agenda**
- 2. Adoption of Minutes of Regular Meeting May 6, 2014..... Pkg 1**
- 3. In Camera**
- 4. Unfinished Business**
 - a) Lot 1, Block 1, Plan 0312304; NW 19-7-1 W5M
Agnes Thibert
Subdivision Application No. 2013-0-129 Pkg 2
- 5. Subdivision Applications**
 - a) E ½ 3-6-29 W4M
Cheryl Varley
Subdivision Application No. 2014-0-086 Pkg 3
 - b) SW 35-5-2 W5M
Margaret Schacht
Subdivision Application No. 2014-0-092 Pkg 4
 - c) SW 14-6-1 W5M
Zoratti Ranches Ltd.
Subdivision Application No. 2014-0-113 Pkg 5
- 6. New Business**
 - a) First Parcel Out of a Subdivided Quarter Section
- Email from Gavin Scott, dated Wednesday, August 27, 2014 Pkg 6
- 7. Next Regular Meeting October 7, 2014; 6:00 pm**
- 8. Adjournment**

**Regular Meeting Minutes of the Subdivision Authority
Tuesday, May 6, 2014; 6:00 pm
M.D. of Pincher Creek No. 9 Council Chambers**

IN ATTENDANCE

Members: Reeve Brian Hammond, Councillors Fred Schoening, Terry Yagos

Absent: Councillors Garry Marchuk and Grant McNab

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

COMMENCEMENT

Reeve Brian Hammond called the meeting to order at 6:00 pm.

1. ADOPTION OF AGENDA

Councillor Terry Yagos 14/009

Moved that the May 6, 2014 Subdivision Authority Agenda be approved as presented.

Carried

2. ADOPTION OF MINUTES

Councillor Fred Schoening 14/010

Moved that the March 4, 2014 Subdivision Authority Minutes be approved as presented.

Carried

3. IN CAMERA

Councillor Terry Yagos 14/011

Moved that the Subdivision Authority and staff move In-Camera, the time being 6:01 pm.

Carried

Councillor Terry Yagos 14/012

Moved that the Subdivision Authority and staff move out of In-Camera, the time being 6:07 pm.

Carried

MINUTES
SUBDIVISION AUTHORITY
Municipal District of Pincher Creek No. 9
May 6, 2014

4. OLD BUSINESS

There was no old business to discuss.

5. SUBDIVISION APPLICATION

**a) Subdivision Application No. 2014-0-049
W ½ 30-5-29 W4M
Wayne and Dawn Hochstein**

Councillor Terry Yagos

14/013

Moved that the Country Residential subdivision of W1/2 30-5-29-W4M (Certificate of Title No. 131 028 129), to create an 8.90 acre (3.62 ha) parcel from a previously unsubdivided quarter section of 168.66 acres (68.25 ha) for country residential use; BE APPROVED subject to the following:

CONDITIONS:

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

Carried

6. NEXT MEETING – Tuesday, June 3, 2014; 6:00 pm.

7. ADJOURNMENT

Councillor Fred Schoening

14/014

Moved that the meeting adjourn, the time being 6:08 p.m.

Carried

Brian Hammond, Chair
Subdivision Authority

Wendy Kay, Secretary
Subdivision Authority



DRAFT RESOLUTION

Our File: 2013-0-129

August 27, 2014

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

Dear Ms. Kay:

RE: Lot 1, Block 1, Plan 0312304 within NW1/4 19-7-1-W5M/M.D. of Pincher Creek No. 9

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

The Subdivision & Development Authority should note that comments have not been received from Livingstone Range School Division, AltaLink, AB Agriculture, AESRD – K. Murphy, AER, South Lundbreck Water Co-op, and Compton Petroleum.

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

Please contact this office if you require any further information.

Gavin Scott
Planner

GS/gk
Attachment

RESOLUTION

2013-0-129

M.D. of Pincher Creek No. 9 Agriculture subdivision of Lot 1, Block 1, Plan 0312304 within NW1/4 19-7-1-W5M

THAT the Agriculture subdivision of Lot 1, Block 1, Plan 0312304 within NW1/4 19-7-1-W5M (Certificate of Title No. 121 305 638), to create a 2.90 acre (1.19 ha) parcel from a title (in 2 parts fragmented by a municipal road allowance) of 161.88 acres (65.51 ha) for agricultural 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 closed road allowance described in Bylaw 1243-13 be consolidated with the adjacent portion of the Lot 1 Block1 Plan 0312304 (C of T 121305638) in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.

REASONS:

1. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
2. The proposed subdivision complies with the M.D. of Pincher Creek Land Use Bylaw and Municipal Development Plan.
3. The proposed subdivision complies with the M.D. of Pincher Creek subdivision policy R.15.
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 Municipal Development Plan.

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, Alberta Transportation, Alberta Sustainable Resource Development, and the Department of Fisheries and Oceans.)
- (d) Pincher Creek Emergency Services has no issues with the application.
- (e) FortisAlberta Inc. has no objection/no easement required.

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

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

- (f) ATCO Gas has no objections to the proposed subdivision as their existing gas lines are covered by easement.
- (g) Alberta Health Services advises that from the information provided and an on-site inspection, Alberta Health Services does not object to this subdivision at this time.
- (h) Alberta Transportation submitted the following:

“Reference your file to create an agricultural parcel at the above noted location.

By virtue of and pursuant to Section 14(a) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002 (“the regulation”), the proposed agricultural parcel is less than the 16 hectares size requirement to qualify as an agricultural parcel.

Given that determination, the proposal will by default create a parcel that will be contrary to Section 14 and subject to the requirements of Section 15(2) of the regulation.

The department’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 the remnant land will be well removed from Highway 3 with indirect access to the highway being gained solely by way of the local road network. As such, strictly from Alberta Transportation’s point of view, we do not anticipate that the creation of the parcel as proposed would have any appreciable impact on the highway.

Therefore, pursuant to Section 16(1), in this instance the department grants a waiver of said Sections 14 and 15(2).

The applicant would also be advised that any development within the right-of-way or within 300 metres beyond the limit of the highway (3) or within 800 metres from the centre point of the intersection of the highway (3) and another highway would require the benefit of a permit from our department. This requirement is outlined in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

The subject property is within the noted control lines however given that development setbacks will be maintained by default and all access to the highway is indirect by way of the county’s local road system, a permit from the department will not be required and development of the subject property could proceed under the direction, control and management of the county. The applicant could contact the undersigned, at Lethbridge 403/381-5426, in this regard.

The department 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 (AT) agrees to waive the referral distance for this particular subdivision application. As far as AT 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) Soils report for septic system is **attached**.

CHAIRMAN

DATE

Site: NE 24, Twp 7, R 2, West of 5th

Owner: ~~Doug Thibert~~ Agnes Thibert

We investigated this property on May 22/2014.
We dug test holes to 108in and found no groundwater.
They soil tested up as LAB and HT shows in report.
They clearly indicate that this site has suitable
soil for several different septic disposal systems:
such as: a Treatment Plant with Pressure Distribution
a Primary tank with Pressure Dist. Mound,
a Open Discharge in set beds or mat
a possibility of tank and Gravity disposal

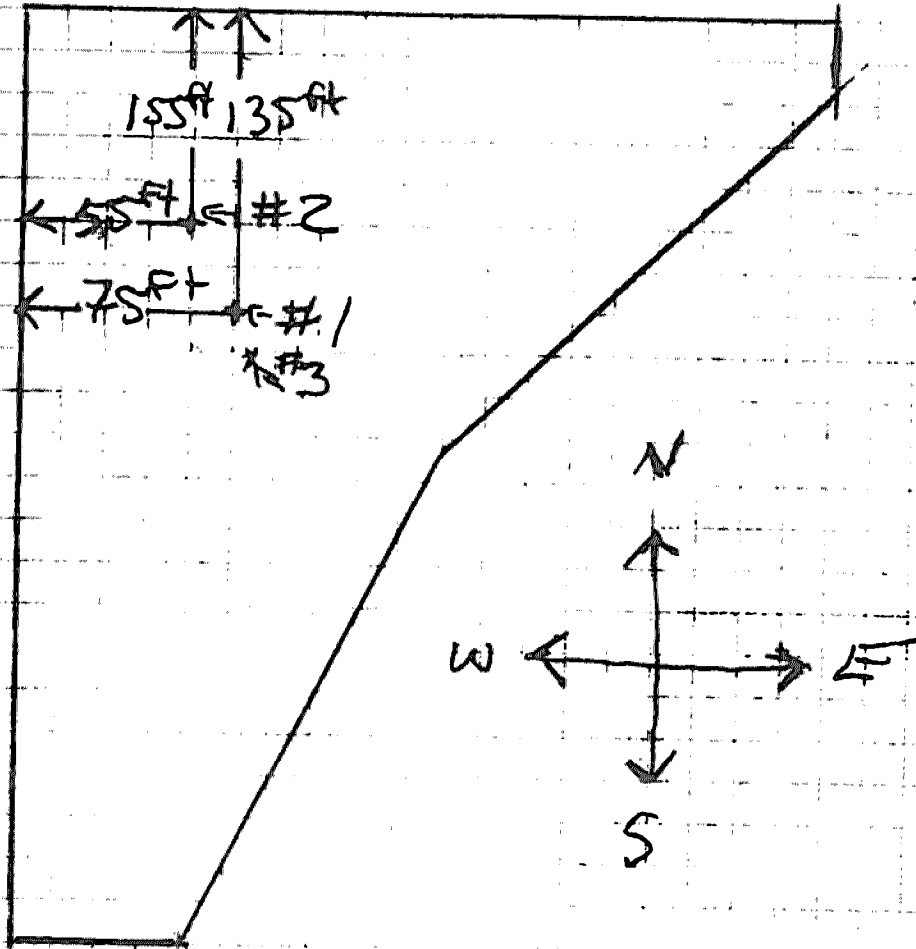
P.S.D. 5. 8478

Roxy Mountain Subcat
Lyle Palmer



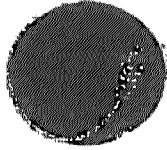
Agnes Thibert
Box 220
Lundbreck, AB
TOK LHO

403-628-2011



NE 24 TWP 7 R 2 W of 5th.

Attention - Lyle Reimer
Fax # 403-627-5434



Down To Earth Labs Inc.

The Science of Higher Yields

Rocky Mountain Bobcat
Box 631
Pincher Creek, AB T0K
1W0

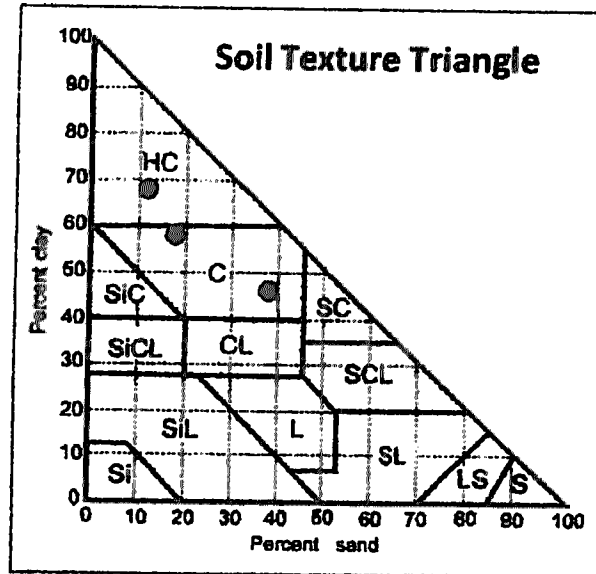
Report #: 7915
Report Date: 6/5/2014
Received: 6/3/2014
Completed: 6/5/2014
Test Done: ST

Project : Thibert, Lundbrack
PO:
Notes:

3510 6th Ave North
Lethbridge, AB T1H 5C3
403-328-1133
www.downtoearthlabs.com
info@downtoearthlabs.com

Sample ID:	140603N017	140603N018	140603N019	140603N020
Cust. Sample ID:	#1 30-56"	#1 56-108"	#2 36-72"	#3 42-108"

Analyte	Units	Limit				
Sand	%	0.1	38.0	12.0	18.0	18.0
Silt	%	0.1	16.0	20.0	24.0	24.0
Clay	%	0.1	46.0	68.0	58.0	58.0
Soil Texture	-	1	Clay	Heavy Clay	Clay	Clay



Raygan Boyce - Chemist

Alberta Private Sewage Treatment System Soil Profile Log Form

Owner Name or Job ID: **Opay Thibert**

Legal Land Location		Test Pit GPS Coordinates	
Lot	Block	Latitude	Longitude
10	10		
Vegetation notes: Heavy Grass Cover		Slope position of test pit: 2%	
Overall site slope: 2% - 5%		Depth of Lab sample: 1	

Horiz. No.	Depth (cm)	Texture	Lab or HT	Colour	Gleying	Moisture	Structure	Grade	Consistence	Moisture	% Coarse Fragments
A	0-15	CL	HT	Black	None	None	Prismatic	3	Friable	Damp	10%
B	15-30	CL	HT	Dark Brown	None	None	Prismatic	2	Friable	Damp	1%
C	30-56	E	LAB	Brown	None	None	Prismatic	2	Friable	Damp	70%
C	56-108	HC	LAB	Brown	None	None	Prismatic	2	Friable	Damp	5%

Restriecting Soil Layer Characteristic: **Heavy Cbs**

Depth to Restrictive Soil Layer: **56 inches**

Depth to Highly Permeable Layer Limiting Design: **N/A**

Depth to Groundwater: **N/A**

Depth to Seasonally Saturated Soil: **N/A**

Soil Topography: **Rolling**

Key Soil Characteristics applied to system design effluent loading: **Heavy Root Growth, Nearby trees doing well**

Weather Condition notes: **Dry breezy**

Comments such as root depth and abundance or other pertinent observations: **Heavy Root Growth, Nearby trees doing well**

Alberta Private Sewage Treatment System Soil Profile Log Form

Owner Name or Job ID: **Doug Thibert**

Legal Land Location		Test Pit GPS Coordinates	
ESD-14	Sec	Twp	Rg
NE	24	7	2
Vegetation notes		Block	Plan
Heavy Grass Cover			
Overall site slope %		Slope position of test pit	
20%		20%	
Slope position of test pit		Depth of Lab sample #1	
20%			

Test hole No.	Soil Subgroup	Parent Material	Drainage	Depth of Lab sample #2							
2#											
Hum-son	Depth (cm) (in)	Texture	Lab or HI	Colour	Gleiting	Mottling	Structure	Grade	Consistence	Moisture	% Coarse Fragments
A	0-12	CL	HT	Black	None	None	Prismatic	3	Friable	Damp	20%
B	12-36	C	HT	Black Brown	None	None	Prismatic	2	Friable	Damp	30%
C	36-72	C	LAB	Brown	None	None	Prismatic	2	Friable	Damp	40%

Depth to Groundwater	Restricting Soil Layer Characteristic
N/A	Clay
Depth to Seasonally Saturated Soil	Depth to restrictive Soil Layer
N/A	30 inches
Site Photograph	Depth to Highly Permeable Layer Limiting Design
Rollins	N/A
Key Soil Characteristics applied to system design effluent loading	
Weather Condition notes	
Dry Breezy	
Comments such as root depth and abundance or other pertinent observations	
Heavy Root Growth, nearby trees Douglass	



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

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

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: September 9, 2013

Date of Receipt: August 20, 2013

TO: Landowner: Agnes Thibert

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

Referral Agencies: M.D. of Pincher Creek No. 9, Garry Marchuk, Livingstone Range School Division, TELUS, FortisAlberta, AltaLink, ATCO Gas- Calg, ATCO Pipelines, AB Health Services, AB Agriculture, AB Transportation, AB Environment, AER, South Lundbreck Water Co-op, Compton Petroleum

Adjacent Landowners: CPR, Martin & Jennifer Thistlethwaite, Bar AB Ranch Ltd., Dustin Leskosky, Michael & Joan Monaghan, Larry Salekin, Gordon & Sharon Leskosky, Glen Stadnichuk & Pam House

Planning Advisor: Gavin Scott

The Oldman River Regional Services Commission (ORRSC) is in receipt of the following subdivision application which is being processed on behalf of the M.D. of Pincher Creek No. 9. In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email, fax or mail no later than **September 30, 2013**. (Please quote our File No. 2013-0-129 in any correspondence with this office).

File No.: 2013-0-129

Legal Description: Lot 1, Block 1, Plan 0312304 within NW1/4 19-7-1-W5M

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

Land Designation: Agriculture - A
(Zoning)

Existing Use: Agriculture

Proposed Use: Agriculture

of Lots Created: 1

Certificate of Title: 121 305 638

Meeting Date: October 1, 2013

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 2.90 acre (1.19 ha) parcel from a title (in 2 parts fragmented by a municipal road allowance) of 161.88 acres (65.51 ha) for agricultural use.

The proposal is to accommodate the subdivision cut-off parcel which was added to the quarter section as part of previous subdivision (ORRSC file 2003-0-050). Access to the lot is presently granted from the east, off of a developed municipal road allowance.

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.

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

FOR OFFICE USE ONLY		
DATE of receipt of completed Form 1: <i>August 20, 2013</i>	FEES submitted (non-refundable): <i>925.00</i>	FILE No. <i>2013-0-129</i>

THIS FORM IS TO BE COMPLETED IN FULL WHEREVER APPLICABLE BY THE REGISTERED OWNER OF THE LAND THE SUBJECT OF THE APPLICATION OR BY AN AUTHORIZED PERSON ACTING ON HIS BEHALF.

1. Name of registered owner of land to be subdivided Address and phone no.
ALNES THIBERT Box 220, LUNDBRECK, AB T0K 1H0
Name in block capitals 403-628-2011

2. Name of agent (person authorized to act on behalf of registered owner), if any Address and phone no.

Name in block capitals

3. LEGAL DESCRIPTION AND AREA OF LAND TO BE SUBDIVIDED
 All / part of the NW $\frac{1}{4}$ sec. 19 twp. 7 range 1 west of 5 meridian
 Being all / parts of lot 1 block 1 Reg. Plan No. 0312304 C.O.T. No. 121305638
 Area of the above parcel of land to be subdivided 1.19 hectares OR 2.9 ACRES
 Municipal address (if applicable) _____

4. LOCATION OF LAND TO BE SUBDIVIDED
 a. The land is situated in the municipality of PINCHER CREEK #9
 b. Is the land situated immediately adjacent to the municipal boundary? Yes _____ No X
 If "yes", the adjoining municipality is _____
 c. Is the land situated within 0.8 kilometres of the right of way of a highway? Yes X No _____
 If "yes", the highway is No. 3A TWP RD 74
 d. Does the proposed parcel contain or is it bounded by a river, stream, lake or other body of water or by a drainage ditch or canal? Yes X No _____
 If "yes", state its name DRAINAGE DITCH
 e. Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes _____ No X

5. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED
 Describe:
 a. Existing use of the land AL
 b. Proposed use of the land AL
 c. The designated use of the land as classified under a land use bylaw AL

6. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED (where appropriate)
 a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) FLAT WITH GOOD DRAINAGE
 b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, etc. - sloughs, creeks, etc.)
OPEN GRASS LAND
 c. Describe the kind of soil on the land (sandy, loam, clay, etc.) CLAY

7. EXISTING BUILDINGS ON THE LAND TO BE SUBDIVIDED
 Describe any buildings and any structures on the land and whether they are to be demolished or moved
VACANT

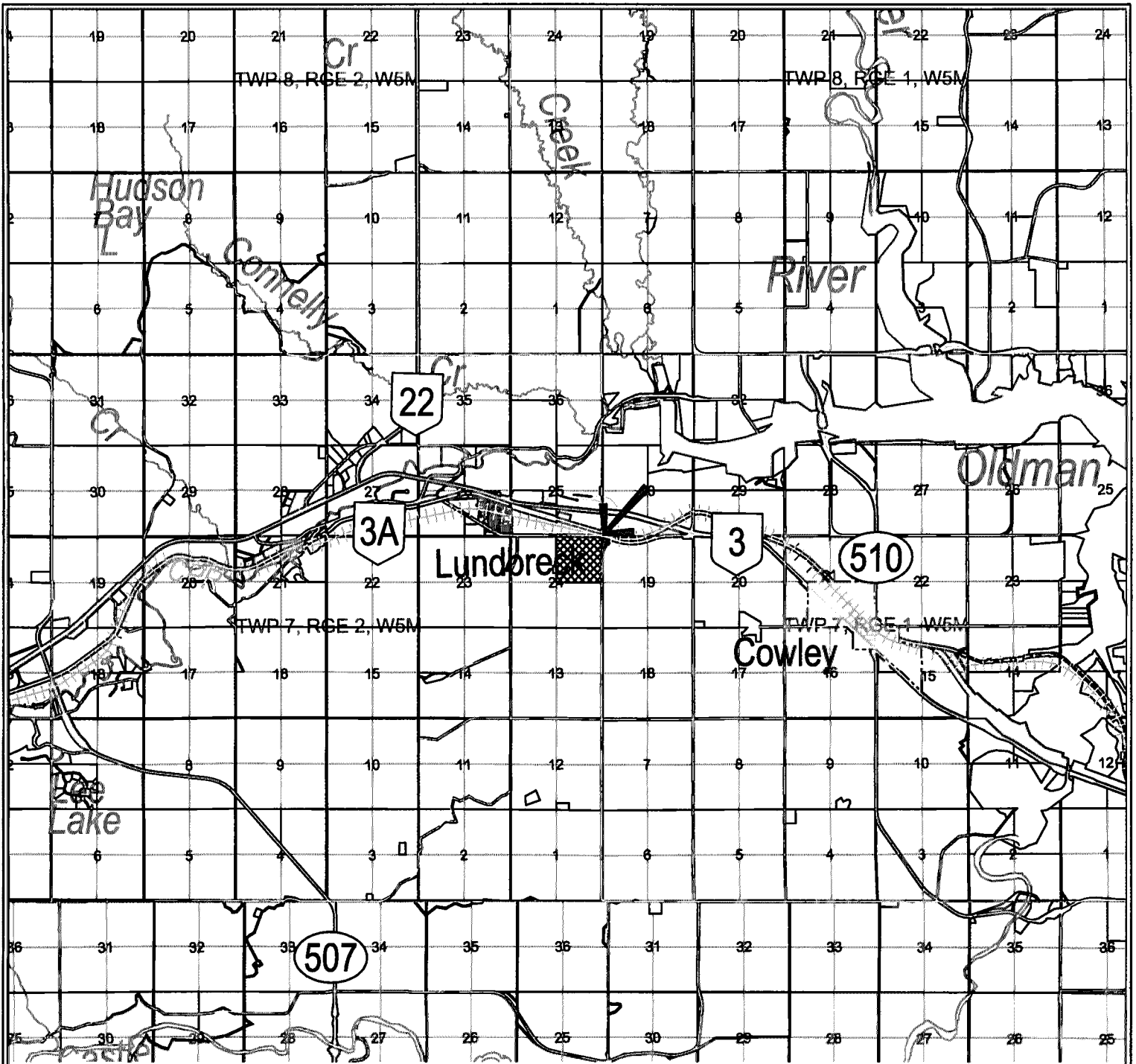
8. WATER AND SEWER SERVICES
 If the proposed subdivision is to be served by other than a water distribution system and a wastewater collection system, describe the manner of providing water and sewage disposal
CURRENTLY AL LAND / SUITABLE FOR SEPTIC TANK; FIELD WATER BY ~~WATER~~ WATER CO-OP OR REGIONAL CO-OP

9. REGISTERED OWNER OR PERSON ACTING ON THE REGISTERED OWNER'S BEHALF
 I ALNES THIBERT hereby certify that I am the registered owner, or REGIONAL CO-OP
(Full Name) I am the agent authorized to act on behalf of the registered owner
 and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision.
 Address Box 220 LUNDBRECK, AB T0K 1H0 (Signed) Alnes Thibert
 Phone No. 403-628-2011 Date Aug 14, 2013

IMPORTANT:

- Please fill out the right of entry authorization on the reverse.
- Further information may be provided by the applicant on the reverse.
- Information on this application form will become part of the subdivision file which will be considered by a subdivision authority at a public meeting.

Mail or deliver the completed application form, detailed sketch and required fee to:
Oldman River Regional Services Commission
 3105 - 16th Avenue North, Lethbridge, Alberta T1H 5E8 Phone: (403) 329-1344 [Toll Free 1-877-329-1387]



SUBDIVISION LOCATION SKETCH

LOT 1, BLOCK 1, PLAN 0312304 WITHIN

NW 1/4 SEC 19, TWP 7, RGE 1, W 5 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: AUGUST 22, 2013

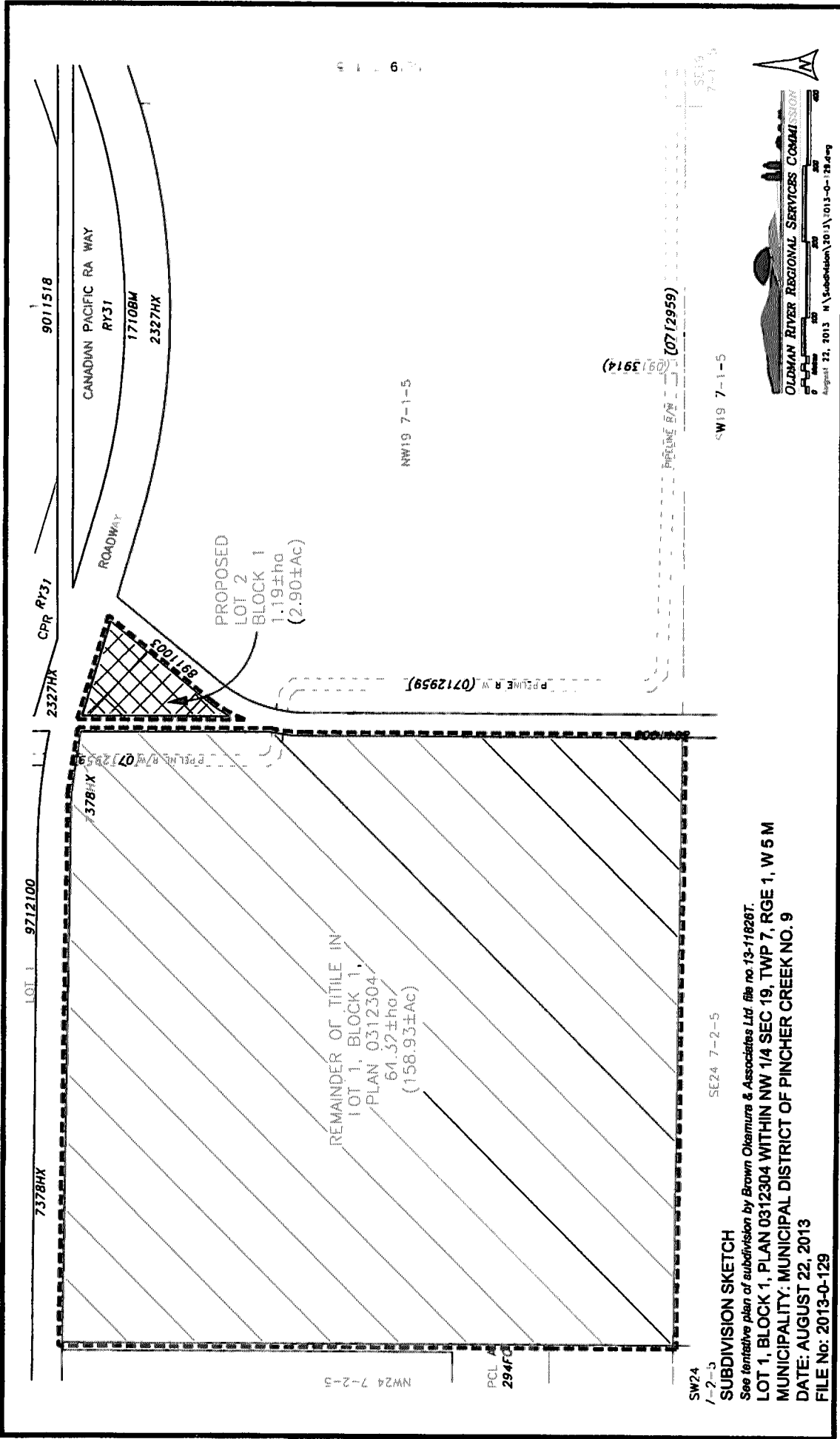
FILE No: 2013-0-129

MAP PREPARED BY:
 OLDMAN RIVER REGIONAL SERVICES COMMISSION
 3105 WILSON AVENUE NORTH, LETHBRIDGE, AB T1K 0G2
 NOT RESPONSIBLE FOR ERRORS OR OMISSIONS



OLDMAN RIVER REGIONAL SERVICES COMMISSION

August 22, 2013 N:\Subdivision\2013\2013-0-129.dwg



7378HX

LOT 1 9712100

CPR RY31

9011518

CANADIAN PACIFIC RA WAY
RY31
1710BM
2327HX

ROADWAY

8817003

7378HX

REMAINDER OF TITLE IN
LOT 1, BLOCK 1,
PLAN 0312304
64.52±ha
(158.93±Ac)

PROPOSED
LOT 2
BLOCK 1
1.19±ha
(2.90±Ac)

NW19 7-1-5

NW24 7-2-5

PCL #
294FC

(0913914)

(0712959)

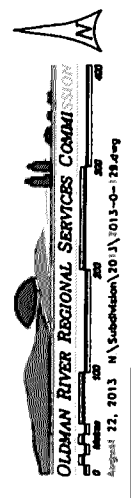
SW24
7-2-5

SE24 7-2-5

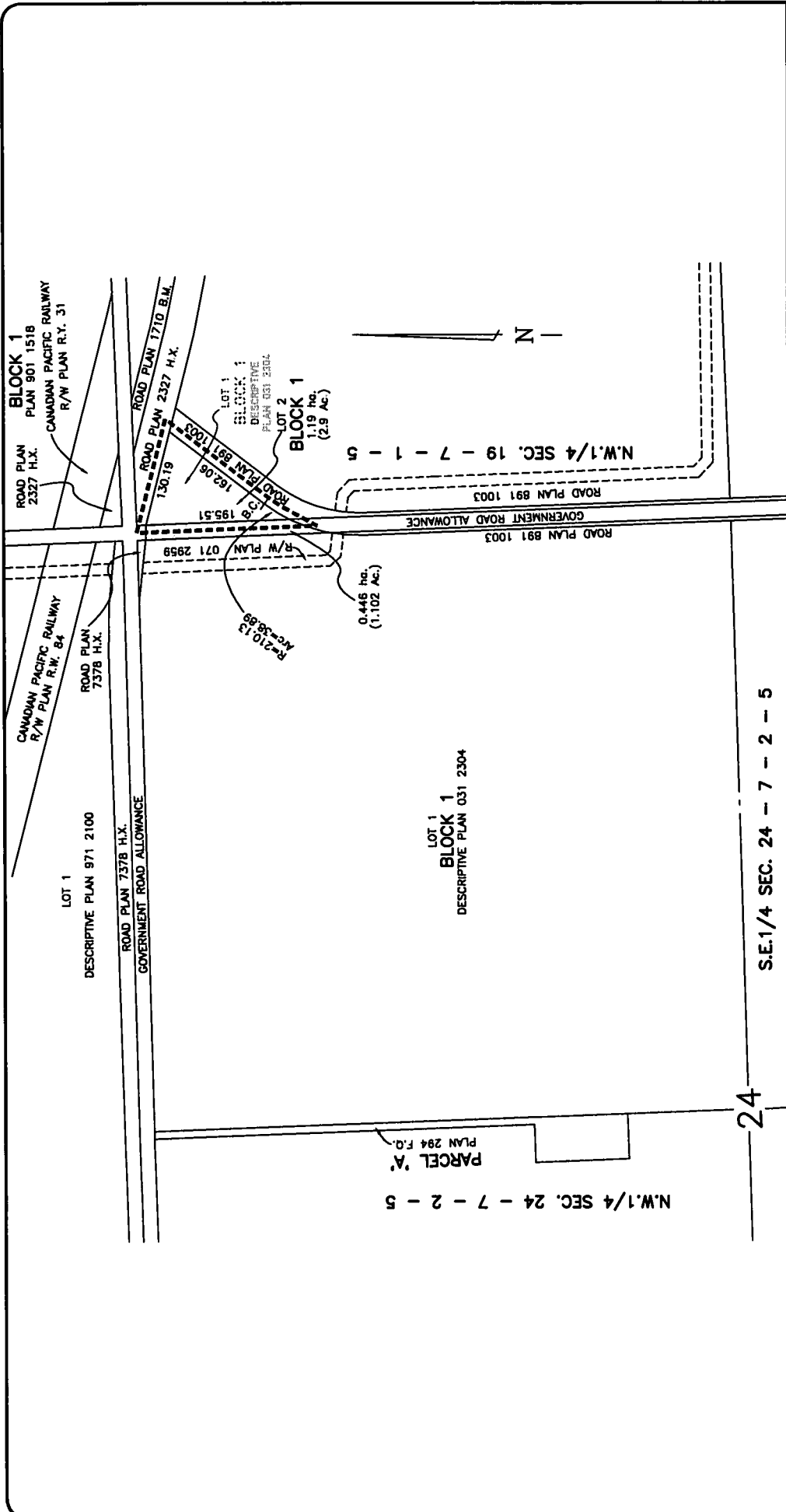
SW19 7-1-5

SE19
7-1-5

SUBDIVISION SKETCH
See tentative plan of subdivision by Brown Okamura & Associates Ltd file no. 13-11826T.
LOT 1, BLOCK 1, PLAN 0312304 WITHIN NW 1/4 SEC 19, TWP 7, RGE 1, W 5 M
MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
DATE: AUGUST 22, 2013
FILE No: 2013-0-129



August 22, 2013 H:\Subdivisions\2013\013-0-129.dwg



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

APPROVED	DRAWN CJB	DATE AUGUST. 1/13
	CHECKED TCP	JOB 13-11826
	SCALE 1:5000	DRAWING 13-11826T
T. C. Penner, A.L.S.		

AGNES THIBERT
TENTATIVE PLAN SHOWING SUBDIVISION
of part of
LOT 1; BLOCK 1; DESCRIPTIVE PLAN 031 2304
within
N.W.1/4 SEC. 19; TWP. 7; RGE. 1; W.5 M.
MUNICIPAL DISTRICT OF PINCHER CREEK No. 9

NO.	REVISION	DATE	BY

NOTE : Portion to be approved is outlined thus -----
and contains approximately 1.19 ha.
Distances are in metres and decimal parts thereof.
Distances and areas are approximate and are
subject to change upon final survey.

S.E.1/4 SEC. 24 - 7 - 2 - 5

N.W.1/4 SEC. 24 - 7 - 2 - 5
PARCEL 'A'
PLAN 284 F.O.



3105 - 16th Package #3
Lethbridge, Alb...

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

DRAFT RESOLUTION

Our File: 2014-0-086

August 27, 2014

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

Dear Ms. Kay:

RE: E1/2 3-6-29-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 & Development Authority should note that comments have not been received from Livingstone Range School Division, AltaLink, AB Health Services, AB Agriculture, AESRD – K. Murphy, AER, CPR, and Pincher Creek Water Co-op.

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

Please contact this office if you require any further information.

Gavin Scott
Planner

GS/gk
Attachment

RESOLUTION

2014-0-086

M.D. of Pincher Creek No. 9 Country Residential subdivision of E1/2 3-6-29-W4M

THAT the Country Residential subdivision of E1/2 3-6-29-W4M (Certificate of Title No. 021 334 398), to create a 12.60 acre (5.10 ha) parcel from previously unsubdivided quarter sections of 160 acres (64.7 ha) for country residential use; BE APPROVED subject to the following:

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Pincher Creek No. 9.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Pincher Creek No. 9 which shall be registered concurrently with the final plan against the title(s) being created.
3. That the 15m easement(s) as required by Fortis shall be established prior to finalization of the application.

REASONS:

1. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
2. The proposed subdivision with waiver complies with both the Municipal Development Plan and Land Use Bylaw.
3. The proposed subdivision with waiver complies with the M.D. of Pincher Creek subdivision policy R.11.
4. 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.
5. That in accordance with Municipal Development Plan Part III A. a waiver of subdivision policy R.11 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 Sustainable Resource Development, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) The MD of Pincher Creek Fire Chief has no issues with this subdivision.
- (e) TELUS Communications has no objection to the proposed subdivision.

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

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

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

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

- (g) AltaGas Utilities Inc. has no objection to the proposed subdivision. We wish to advise that any relocation of existing facilities will be at the expense of the developer and payment of contributions required for new gas facilities will be the responsibility of the developer.

- (h) Michael Surgenor of AB Environment and Sustainable Resource Development submitted the following:

"ESRD Lands department has identified that a portion of land being subdivided goes through the Bed and shore (Indian Farm Creek). Before any work (ie any machinery within or around the B&, stream bank modifications) can be made, A TFA must be granted by a lands use officer."

CHAIRMAN

DATE

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: July 10, 2014

Date of Receipt: June 25, 2014

TO: Landowner: Cheryl Varley

Agent or Surveyor: Peter Maloff / Thomas Penner, A.L.S.

Referral Agencies: M.D. of Pincher Creek No. 9, Garry Marchuk, Livingstone Range School Division, TELUS, FortisAlberta, AltaLink, Alta-Gas, AB Health Services, AB Agriculture, AB Sustainable Resources, AB Environment, AER, CPR, Pincher Creek Water Co-op

Adjacent Landowners: Frank McLaughlin, Rudolph & Gloria Zalesak, Royden & Beverly Denby, Sam & Laurie Hofer, Crowfoot 9 Ranches Ltd., Roy & Barbara Boese, James & Caroline Weisberger, Bradley & Shelli Boese, Richard & Blanche Lemire, Jeffery & Rebecca Boese, CPR, Marty & Kathleen Lemire, CPR, Ronald Conrad

Planning Advisor: Gavin Scott

The Oldman River Regional Services Commission (ORRSC) is in receipt of the following subdivision application which is being processed on behalf of the M.D. of Pincher Creek No. 9. In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email, fax or mail no later than **July 29, 2014**. (Please quote our File No. **2014-0-086** in any correspondence with this office).

File No.: 2014-0-086

Legal Description: E1/2 3-6-29-W4M

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

Land Designation: Agriculture - A
(Zoning)

Existing Use: Agricultural

Proposed Use: Country Residential

of Lots Created: 1

Certificate of Title: 021 334 398

Meeting Date: September 2, 2014

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

Planner's Preliminary Comments:

The purpose of this application is to create a 12.60 acre (5.10 ha) parcel from previously unsubdivided quarter sections of 160 acres (64.7 ha) for country residential use.

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

The proposal is adjacent to Indianfarm Creek which is a tributary of the Oldman River Basin.

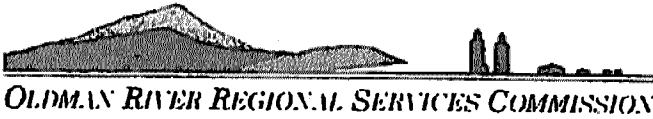
This proposal complies with the subdivision criteria of the MD of Pincher Creek's Municipal Development Plan and Land Use Bylaw. The Subdivision Authority is hereby requested to consider the following when rendering a decision on this application:

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.

RESERVE:

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

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



FOR OFFICE USE ONLY		
Zoning (as classified under the Land Use Bylaw):		
Fee Submitted: 925.00	File No: 2014-0-086	
APPLICATION SUBMISSION		
Date of Receipt:	Date Deemed Complete: June 25/14	Accepted By: [Signature]

**APPLICATION FOR SUBDIVISION
RURAL MUNICIPALITY**

1. CONTACT INFORMATION

Name of Registered Owner of Land to be Subdivided: CHERYL DIANE VARLEY
 Mailing Address: Box 935, PINCHER CREEK, AB Postal Code: T0K 1W0
 Telephone: 403-627-4706 Cell: 403-627-6969 Fax: _____
 Email: _____

Name of Agent (Person Authorized to act on behalf of Registered Owner): PETER MALOFF (RE/MAX SOUTHWESTERN)
 Mailing Address: Box 1059, COLEMAN, AB Postal Code: T0K 0M0
 Telephone: 403-627-8200 Cell: _____ Fax: _____
 Email: pmaloff@shaw.ca

2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

- a. All/part of the NE/SE Section 3 Township 6 Range 29 West of 4 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: _____ hectares _____ acres
- d. Total number of lots to be created: _____ Size of Lot(s): _____
- e. Rural Address (if applicable): _____
- f. Certificate of Title No.(s): 021 334 398

3. LOCATION OF LAND TO BE SUBDIVIDED

- a. The land is located in the municipality of PINCHER CREEK
- b. Is the land situated immediately adjacent to the municipal boundary? Yes No
 If "yes", the adjoining municipality is _____
- c. Is the land situated within 0.8 kilometres (½ mile) of the right-of-way of a highway? Yes No
 If "yes" the highway is No. _____
- d. Does the proposed parcel contain or is it bounded by a river, stream, lake or other body of water, or by a canal or drainage ditch? Yes No
 If "yes", state its name INDIAN FARM CREEK
- e. Is the proposed parcel within 1.5 kilometres (0.93 miles) of a sour gas facility? Yes No

4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED

Describe:

- a. Existing use of the land AW
- b. Proposed use of the land AW

5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED

- a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) FLAT ; CREEK FRONT
- b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.)
FORAGE CROP PASTURE TREES AROUND YARD
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) _____
- d. Is this a vacant parcel (void of any buildings or structures)? Yes No
If "no", describe all buildings and any structures on the land. Indicate whether any are to be demolished or moved.

- e. Is there a Confined Feeding Operation on the land or within 0.8 kilometres (½ mile) of the land being subdivided? Yes No
- f. Are there any active oil or gas wells or pipelines on the land? Yes No
- g. Are there any abandoned oil or gas wells or pipelines on the land? Yes No

6. WATER SERVICES

Describe:

- a. Existing source of potable water SURFACE WATER WELL
- b. Proposed source of potable water _____

7. SEWER SERVICES

Describe:

- a. Existing sewage disposal TANK ; FIELD
- b. Proposed sewage disposal _____

8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF

I CHERYL VARLEY hereby certify that
 I am the registered owner I am authorized to act on behalf of the register owner

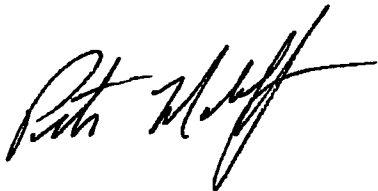
and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval.

Signed: Cheryl Varley Date: JUNE 18, 2014

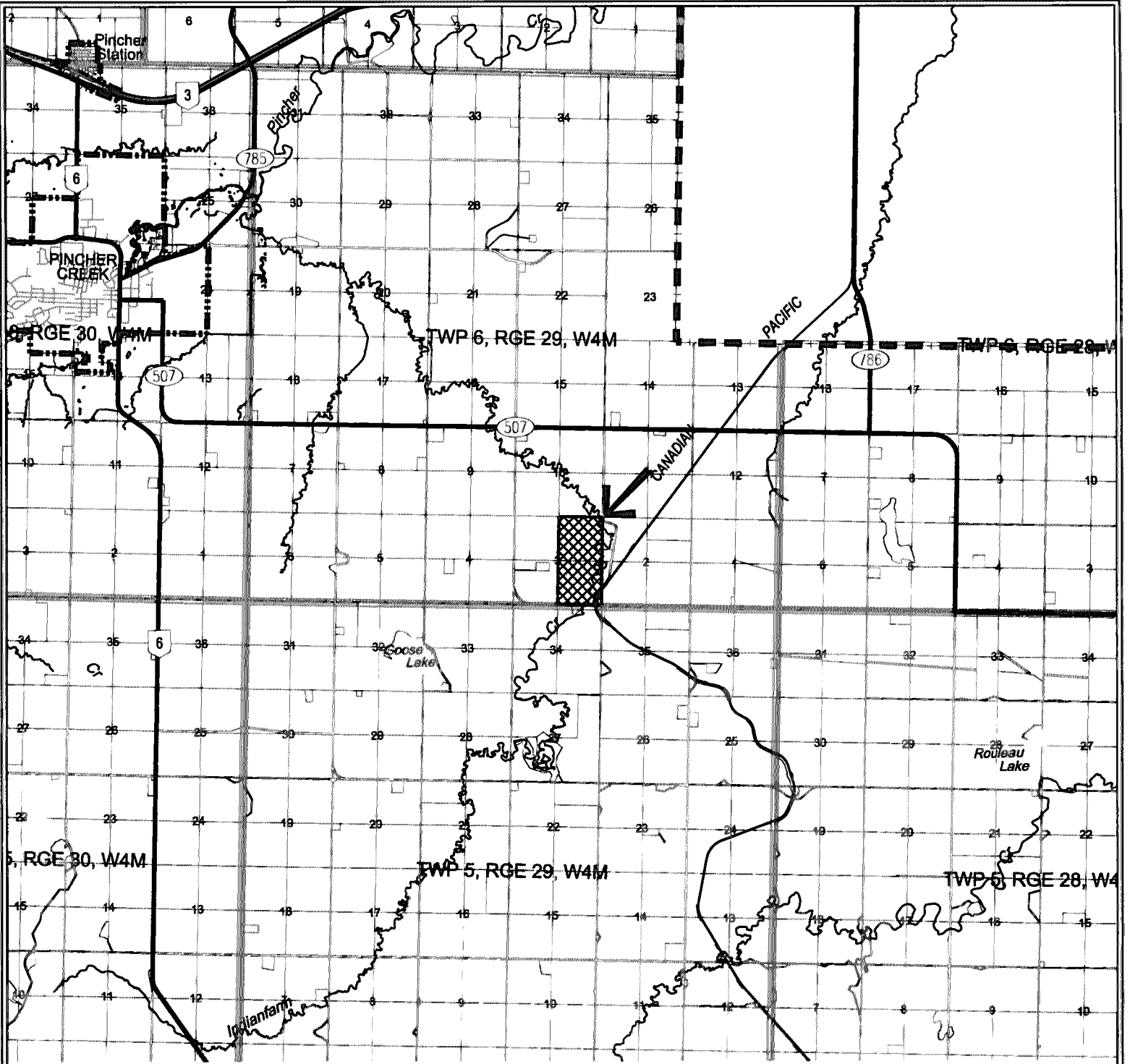
9. RIGHT OF ENTRY

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

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



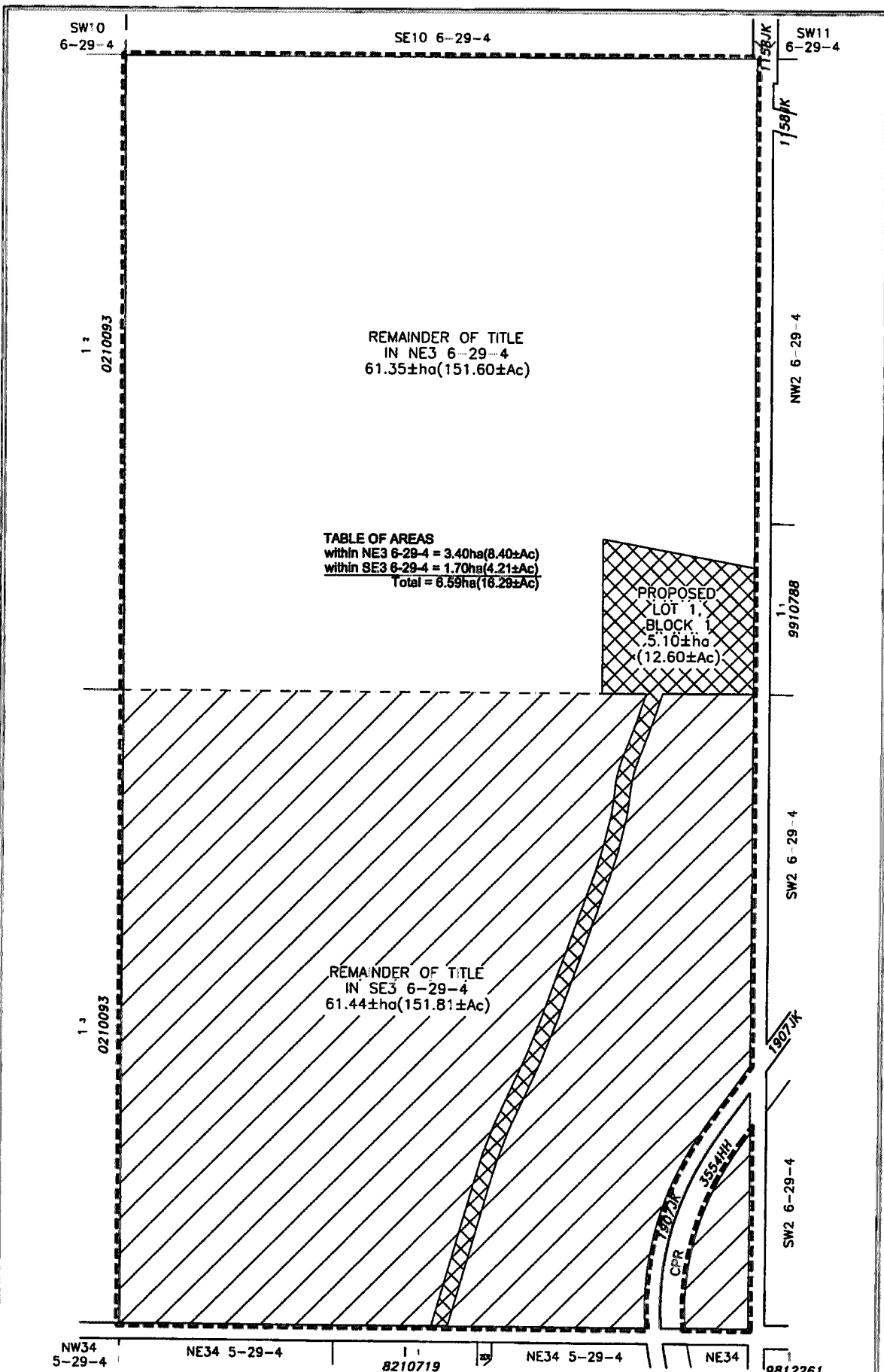
 Signature of Registered Owner



SUBDIVISION LOCATION SKETCH
E 1/2 SEC 3, TWP 6, RGE 29, W 4 M
MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
DATE: JUNE 26, 2014
FILE No: 2014-0-086

MAP PREPARED BY
 OLDMAN RIVER REGIONAL SERVICES COMMISSION
 3702 18th AVENUE NORTH, LETHBRIDGE, AB T0Y 2B9
 NOT RESPONSIBLE FOR ERRORS OR OMISSIONS





SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 14-12317

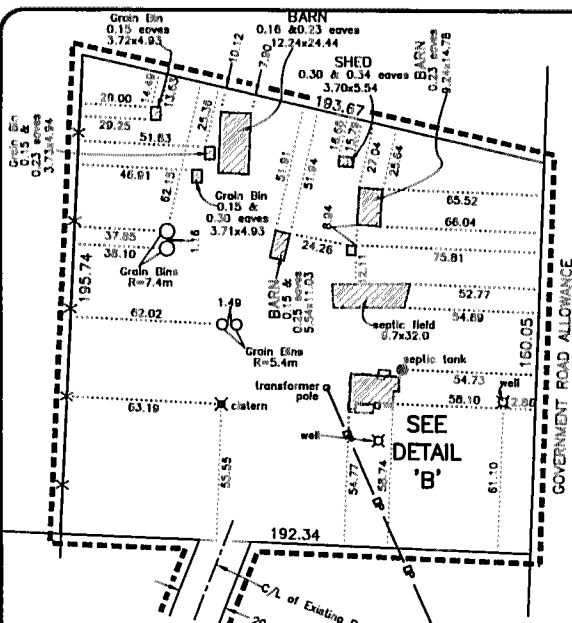
E 1/2 SEC 3, TWP 6, RGE 29, W 4 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: JUNE 26, 2014

FILE No: 2014-0-086





N.E.1/4 SEC. 10
6 - 29 - 4

ROAD PLAN
1158 J.K.

*Location of septic field is approximate and was surveyed as directed by client.

DETAIL 'A'
SCALE: 1:2000
N.E.1/4 SEC. 3 - 6 - 29 - 4

TABLE OF AREAS
LOT 1; BLOCK 1

within N.E.1/4 Sec. 3-6-29-4	= 3.40 ha.
within S.E.1/4 Sec. 3-6-29-4	= 1.70 ha.
Total	= 5.10 ha.

LOT 2
BLOCK 1
DESCRIPTIVE PLAN 021 0093

3

SEE
DETAIL 'A'

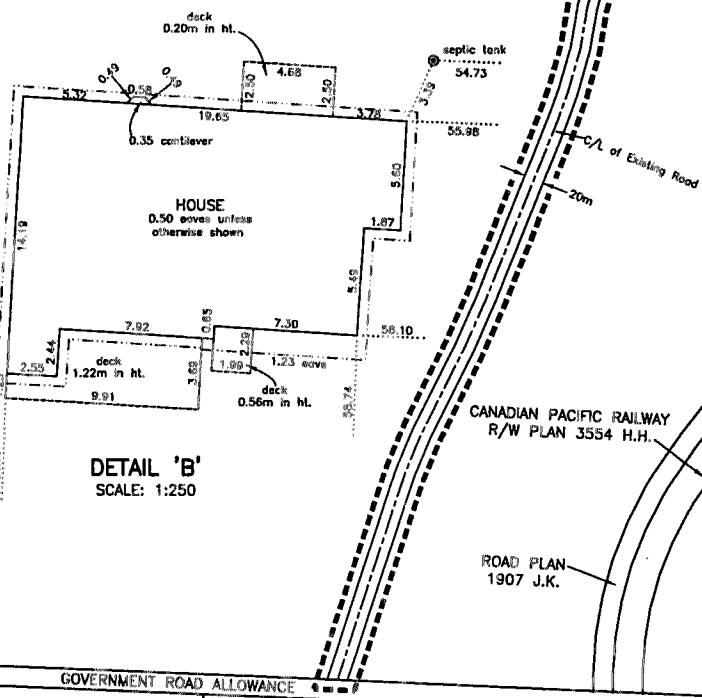
LOT 1
BLOCK 1
5.10 ha.
(12.6 Ac.)

ROAD PLAN
1158 J.K.

LOT 1
BLOCK 1
PLAN 981 0788

S.E.1/4 SEC. 3 - 6 - 29 - 4

LOT 3
BLOCK 1
DESCRIPTIVE PLAN 021 0093



DETAIL 'B'
SCALE: 1:250

ROAD PLAN
1907 J.K.

ROAD PLAN
1158 J.K.

S.W.1/4 SEC. 2
6 - 29 - 4

ROAD PLAN
5832 H.C.

LOT 1
BLOCK 1
PLAN 821 0719

N.E.1/4 SEC. 34 - 5 - 29 - 4

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

bob

APPROVED
[Signature]
T. C. Penner, A.L.S.

DRAWN	C-B	DATE	JUNE 6/14
CHECKED	TOP	JOB	14-12317
SCALE		DRAWING	14-12317T
		SCALE	1:5000

CHERYL VARLEY

TENTATIVE PLAN SHOWING SUBDIVISION
of part of
E.1/2 SEC. 3; TWP. 6; RGE. 29; W.4 M.
MUNICIPAL DISTRICT OF FINCHER CREEK No. 9

NO.	REVISION	DATE	BY

NOTE : Portion to be approved is outlined thus _____ and contains approximately 5.10 ha. Improvements shown were surveyed on June 3rd, 2014. Distances are in metres and decimal parts thereof. Distances and areas are approximate and are subject to change upon final survey.

BLOCK 1
PLAN 981 2261



SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 14-12317

E 1/2 SEC 3, TWP 6, RGE 29, W 4 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: JUNE 26, 2014

FILE No: 2014-0-086

AERIAL PHOTO DATE: 2012





DRAFT RESOLUTION

Our File: 2014-0-092

August 27, 2014

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

Dear Ms. Kay:

RE: SW1/4 35-5-2-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 & Development Authority should note that comments have not been received from Livingstone Range School Division, AltaLink, AB Health Services, AB Agriculture, AESRD – K. Murphy, AER, and Alberta Gas Trunk Lines.

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

Please contact this office if you require any further information.

Gavin Scott
Planner

GS/gk
Attachment

RESOLUTION

2014-0-092

M.D. of Pincher Creek No. 9 Country Residential subdivision of SW1/4 35-5-2-W5M

THAT the Country Residential subdivision of SW1/4 35-5-2-W5M (Certificate of Title No. 931 298 740), to create a 7.27 acre (2.94 ha) parcel from a title of 23.25 acres (9.41 ha) for country residential use; BE APPROVED subject to the following:

RESERVE:

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

CONDITIONS:

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

REASONS:

1. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
2. The proposed subdivision complies with both the Municipal Development Plan and Land Use Bylaw.
3. The proposed subdivision complies with the M.D. of Pincher Creek subdivision policy R.15.

INFORMATIVE:

- (a) The requirement for Municipal Reserve must be satisfied using Municipal District of Pincher Creek Policy 422. The MD assessor has provided a land value for the 7.27 acre (2.94 ha) being subdivided at \$2,000 /acre. Using the formula from Policy 422, the amount owing to satisfy the Municipal Reserve is \$1,454.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Sustainable Resource Development, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) The MD of Pincher Creek Fire Chief has no issues with this subdivision.
- (e) TELUS Communications has concerns with the proposed subdivision. TELUS has existing cable facilities at the proposed subdivision location. Existing TELUS facilities must be located. If facilities cross new property lines then easements are required or cables to be moved at the owners cost. Provisioning of telephone service for proposed subdivision will be considered upon application for same. Contact: Steve Nagy (403) 382-2448 or steve.nagy@telus.com.

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

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

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

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

NOTE: August 27, 2014 – confirmed with Garry Simpson – no easement required.

(g) ATCO Gas has no objection to the proposed subdivision.

(h) ATCO Pipelines has no objection.

CHAIRMAN

DATE

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: July 10, 2014

Date of Receipt: July 3, 2014

TO: Landowner: Margaret Schacht

Agent or Surveyor:

Referral Agencies: M.D. of Pincher Creek No. 9, Garry Marchuk, Livingstone Range School Division, TELUS, FortisAlberta, AltaLink, ATCO Gas, ATCO Pipelines, AB Health Services, AB Agriculture, AB Environment, AER, AB Gas Trunk Lines

Adjacent Landowners: Keith & Beverly Everts, Shelley Ingram, Roderick Ingram, Joan Pavan, Lucille Pavan & Joan Peterson, David & Donna Lepp, David Apperson & Catherine Fischbuch, John, Marilyn, Jean Johnson, Otto Fischuch, Otto & Noreen Fischbuch, Patricia Anderson

Planning Advisor: Gavin Scott

The Oldman River Regional Services Commission (ORRSC) is in receipt of the following subdivision application which is being processed on behalf of the M.D. of Pincher Creek No. 9. In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email, fax or mail no later than **July 29, 2014**. (Please quote our File No. 2014-0-092 in any correspondence with this office).

File No.: 2014-0-092

Legal Description: SW1/4 35-5-2-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: 931 298 740

Meeting Date: September 2, 2014

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

Planner's Preliminary Comments:

The purpose of this application is to create a 7.27 acre (2.94 ha) parcel from a title of 23.25 acres (9.41 ha) for country residential use.

The proposal is to accommodate the subdivision of a fragmented title containing an existing farmyard, which presently consists of a dwelling and a small out-building. Access to the lot is presently granted from an existing approach to the east, off of a developed municipal road allowance. The existing residence is serviced by a septic system and on-site domestic well.

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

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

RESERVE:

- The payment of the applicable 10% Municipal Reserve on the 7.27 acres with the actual amount to be determined at the final stage for Municipal Reserve purposes.

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



**APPLICATION FOR SUBDIVISION
RURAL MUNICIPALITY**

FOR OFFICE USE ONLY		
Zoning (as classified under the Land Use Bylaw):		
Fee Submitted: <u>925.00</u>	File No: <u>2014-0-092</u>	
APPLICATION SUBMISSION		
Date of Receipt: <u>July 2/14</u>	Date Deemed Complete: <u>July 3/14</u>	Accepted By: <u>[Signature]</u>

1. CONTACT INFORMATION

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

Mailing Address: _____ Postal Code: _____

Telephone: _____ Cell: _____ Fax: _____

Email: _____

Name of Registered Owner of Land to be Subdivided: Margaret Patricia Schacht

Mailing Address: P.O. Box 1361 Pincher Creek AB Postal Code: T0K1W0

Telephone: 403-627-2299 Cell: _____ Fax: _____

Email: _____

2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

a. All/part of the SW ¼ Section 35 Township 05 Range 02 West of W5 Meridian (e.g. SE¼ 36-1-36-W4M)

b. Being all/part of: Lot/Unit _____ Block _____ Plan _____

c. Total area of existing parcel of land (to be subdivided) is: _____ hectares 23.09 acres

d. Total number of lots to be created: 2 Size of Lot(s): 15.87 and 7.22 acres

e. Rural Address (if applicable): 5504 Range Road 2-2

f. Certificate of Title No.(s): 901 279 026

3. LOCATION OF LAND TO BE SUBDIVIDED

a. The land is located in the municipality of PINCHER CREEK #9

b. Is the land situated immediately adjacent to the municipal boundary? Yes No

If "yes", the adjoining municipality is _____

c. Is the land situated within 0.8 kilometres (½ mile) of the right-of-way of a highway? Yes No

If "yes" the highway is No. _____

d. Does the proposed parcel contain or is it bounded by a river, stream, lake or other body of water, or by a canal or drainage ditch? Yes No

If "yes", state its name _____

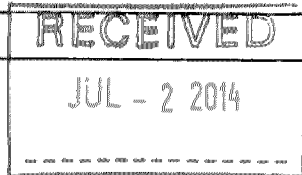
e. Is the proposed parcel within 1.5 kilometres (0.93 miles) of a sour gas facility? Yes No

4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED

Describe:

a. Existing use of the land nature pasture

b. Proposed use of the land _____



5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED

- a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) mixed
- b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.)
trees, slough, creek
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) loam
- 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.
Modular home, small out building on 7.32 acres, no buildings on 15.87 acres
- e. Is there a Confined Feeding Operation on the land or within 0.8 kilometres (½ mile) of the land being subdivided? Yes No
- f. Are there any active oil or gas wells or pipelines on the land? Yes No
- g. Are there any abandoned oil or gas wells or pipelines on the land? Yes No

6. WATER SERVICES

Describe:

- a. Existing source of water Shallow wells
- b. Proposed source of water -

7. SEWER SERVICES

Describe:

- a. Existing sewage disposal septic tank
- b. Proposed sewage disposal -

8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF

I, Margaret Patricia Schacht 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.

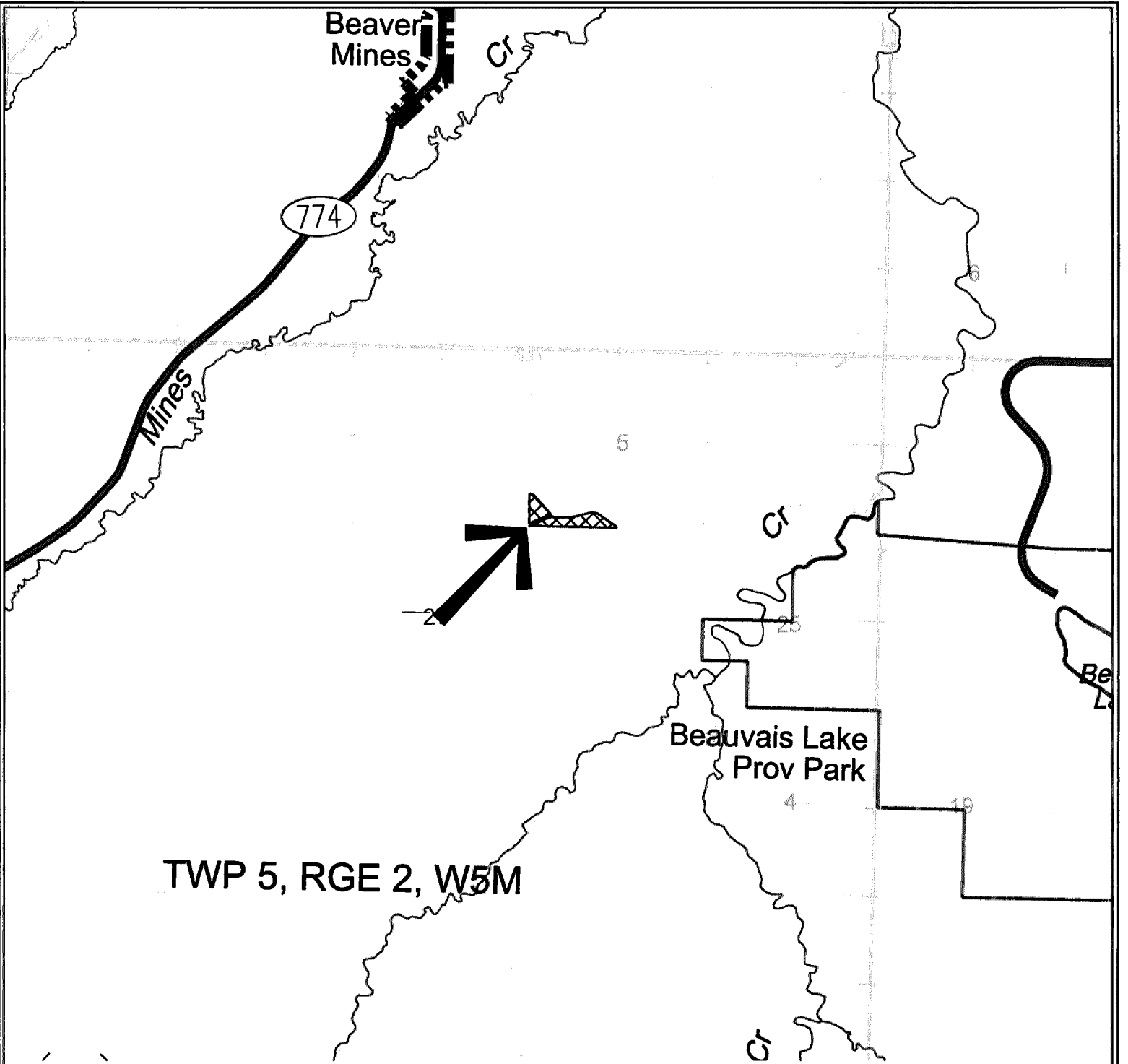
Signed: Margaret P Schacht Date: June 26-2014

9. RIGHT OF ENTRY

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

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

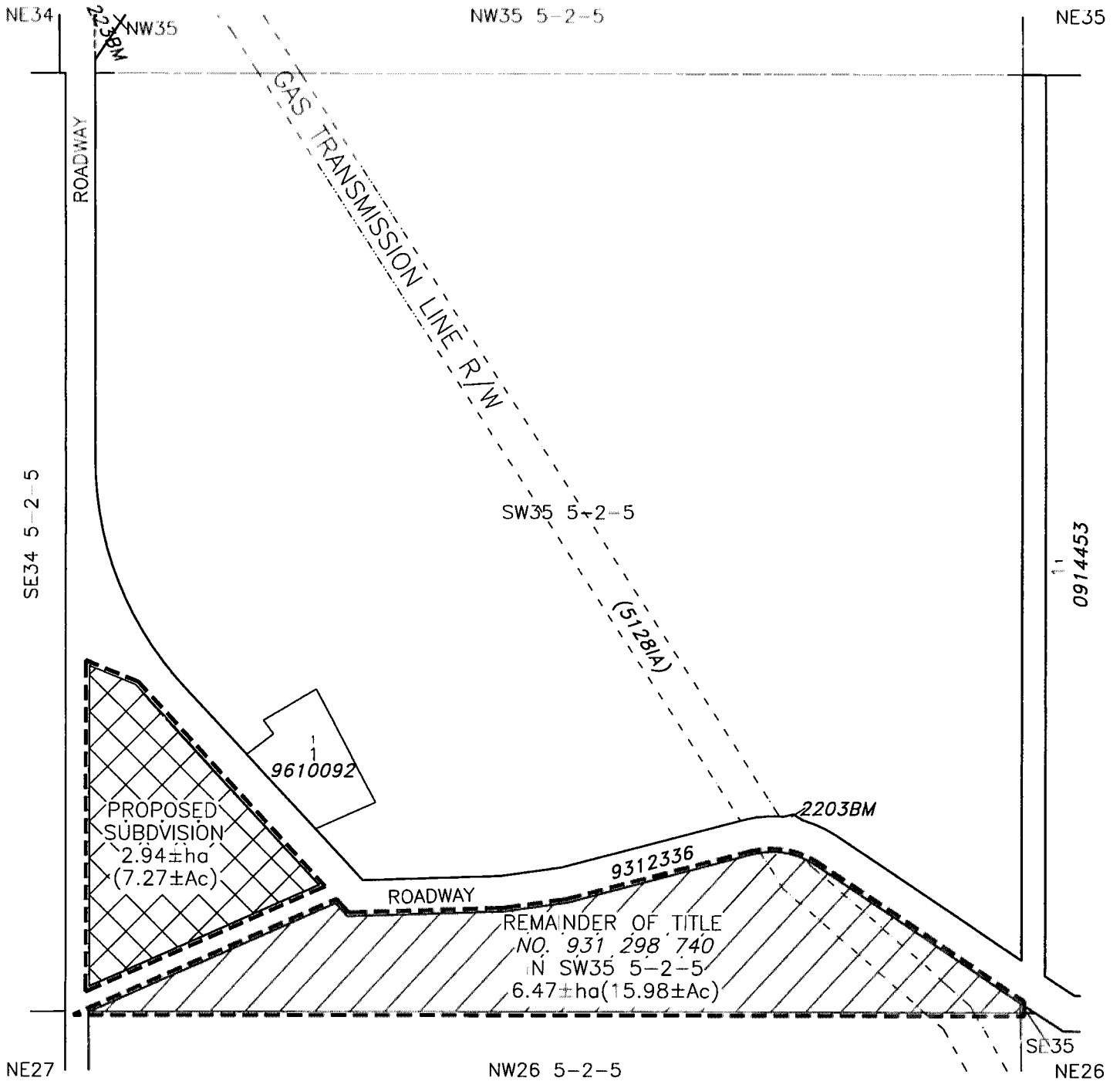
Margaret P Schacht
Signature of Registered Owner



SUBDIVISION LOCATION SKETCH
SW 1/4 SEC 35, TWP 5, RGE 2, W 5 M
MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
DATE: JULY 4, 2014
FILE No: 2014-0-092

MAP PREPARED BY
 OLDMAN RIVER REGIONAL SERVICES COMMISSION
 3700 100 AVENUE NORTH, LETHBRIDGE, AB T1V 2E2
 NOT RESPONSIBLE FOR ERRORS OR OMISSIONS





SUBDIVISION SKETCH

SW 1/4 SEC 35, TWP 5, RGE 2, W 5 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: JULY 4, 2014

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0 Metres 100 200 300 400

July 04, 2014 N:\Subdivision\2014\2014-0-092.dwg





SUBDIVISION SKETCH

SW 1/4 SEC 35, TWP 5, RGE 2, W 5 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: JULY 4, 2014

FILE No: 2014-0-092



OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 100 200 300 400
July 04, 2014 N:\Subdivision\2014\2014-0-092.dwg



AERIAL PHOTO DATE: 2012



DRAFT RESOLUTION

Our File: 2014-0-113

August 27, 2014

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

Dear Ms. Kay:

RE: SW1/4 14-6-1-W5M / M.D. of Pincher Creek No. 9

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

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

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

Please contact this office if you require any further information.

Gavin Scott
Planner

GS/gk
Attachment

RESOLUTION

2014-0-113

M.D. of Pincher Creek No. 9 Country Residential subdivision of SW1/4 14-6-1-W5M

THAT the Country Residential subdivision of SW1/4 14-6-1-W5M (Certificate of Title No. 121 123 640+3), to create a 4.9 acre (1.98 ha) parcel from a previously unsubdivided quarter section of 158.6 acres (64.2 ha) for country residential use; BE APPROVED subject to the following:

CONDITIONS:

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

REASONS:

1. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
2. The proposed subdivision complies with both the Municipal Development Plan and Land Use Bylaw.
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 Sustainable Resource Development, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) The MD of Pincher Creek Director of Operations has no concern.
- (e) TELUS Communications has no objection to the proposed subdivision. Provisioning of telephone service for the proposed subdivision will be considered upon application of same.
- (f) AltaGas Utilities Inc. has no objection to the proposed subdivision. We wish to advise that any relocation of existing facilities will be at the expense of the developer and payment of contributions required for new gas facilities will be the responsibility of the developer.
- (g) Alberta Transportation submitted the following:

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

The department’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 the future expansion of the provincial highway network.

To that end, the proposal is to create a single parcel of land from an unsubdivided quarter section to accommodate an existing residence and related improvements. As such, this application is in accordance with Section 14(b) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002 ("the regulation").

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

Notwithstanding that Section 15(3) applies, the applicant would be advised that no direct access to the highway will be allowed as a result of this application.

The applicant would also be advised that any development within the right-of-way or within 300 metres beyond the limit of the highway (507) or within 800 metres from the centre point of the intersection of the highway (507) 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 the said permit. To ensure that any future highway expansion plans are not unduly compromised minimum setbacks would be identified and invoked as a 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 the department through the undersigned, at Lethbridge 403/381-5426, in this regard.

The department 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 (AT) agrees to waive the referral distance for this particular subdivision application. As far as AT 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."

(h) Alberta Energy Regulator (AER) comments are **attached**.

CHAIRMAN

DATE

2014-0-113.

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

www.aer.ca

File No. 2008

Setback Referral Reply for Nonrequired Proposed Subdivision/Development Application Referrals

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

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

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

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

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

Sincerely,



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



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

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

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: August 6, 2014

Date of Receipt: July 29, 2014

TO: Landowner: Zoratti Ranches Ltd.

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

Referral Agencies: M.D. of Pincher Creek No. 9, Garry Marchuk, Livingstone Range School Division, TELUS, FortisAlberta, AltaLink, Alta-Gas, AB Health Services, AB Agriculture, AB Transportation, AESRD - K. Murphy, M. Taje, AER

Adjacent Landowners: John Chandler & Dominique Plouffe-Chandler, Lynn Dennis, Caroline Johnson, Kurt Johnson, Jason Bedard, Donald Turner

Planning Advisor: Gavin Scott

The Oldman River Regional Services Commission (ORRSC) is in receipt of the following subdivision application which is being processed on behalf of the M.D. of Pincher Creek No. 9. In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email, fax or mail no later than **August 25, 2014**. (Please quote our File No. 2014-0-113 in any correspondence with this office).

File No.: 2014-0-113

Legal Description: SW1/4 14-6-1-W5M

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

Land Designation: Agriculture - A
(Zoning)

Existing Use: Agricultural

Proposed Use: Country Residential

of Lots Created: 1

Certificate of Title: 121 123 640+3

Meeting Date: September 2, 2014

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

Planner's Preliminary Comments:

The purpose of this application is to create a 4.9 acre (1.98 ha) parcel from a previously unsubdivided quarter section of 158.6 acres (64.2 ha) for country residential use.

The proposal is to accommodate the subdivision of an existing farmyard, which presently contains a dwelling, and an out-building. Access to the lot is presently granted from an existing approach to the west off of a developed driveway in a municipal road allowance. The existing residence is serviced by a septic system and on-site domestic wells.

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.

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



FOR OFFICE USE ONLY		
Zoning (as classified under the Land Use Bylaw):		
Fee Submitted: 925.00	File No: 2014-0-113	
APPLICATION SUBMISSION		
Date of Receipt:	Date Deemed Complete: July 29/14	Accepted By: [Signature]

APPLICATION FOR SUBDIVISION RURAL MUNICIPALITY

1. CONTACT INFORMATION

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

Name of Registered Owner of Land to be Subdivided: ZORATTI RANCHES LTD.
 Mailing Address: PO BOX 2487 PINCHER CREEK AB Postal Code: T0K 1W0
 Telephone: 403-627-2643 Cell: 403-627-7405 Fax: _____
 Email: zorranch@platinum.ca

2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

a. All/part of the SW ¼ Section 14 Township 6 Range 1 West of 5 Meridian (e.g. SE¼ 36-1-36-W4M)
 b. Being all/part of: Lot/Unit _____ Block _____ Plan _____
 c. Total area of existing parcel of land (to be subdivided) is: 64.2 hectares 158.6 acres
 d. Total number of lots to be created: 1 Size of Lot(s): 1.98 ha (4.90 ac)
 e. Rural Address (if applicable): _____
 f. Certificate of Title No.(s): 121 123 640 +3

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 0.8 kilometres (½ mile) of the right-of-way of a highway? Yes No
 If "yes" the highway is No. 507

d. Does the proposed parcel contain or is it bounded by a river, stream, lake or other body of water, or by a canal or drainage ditch? Yes No
 If "yes", state its name _____

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

4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED

Describe:

a. Existing use of the land Rural Residential

b. Proposed use of the land Rural Residential

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.)
Trees
- 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 & Shed
- e. Is there a Confined Feeding Operation on the land or within 0.8 kilometres (½ mile) of the land being subdivided? Yes No
- f. Are there any active oil or gas wells or pipelines on the land? Yes No
- g. Are there any abandoned oil or gas wells or pipelines on the land? Yes No

6. WATER SERVICES

Describe:

- a. Existing source of water Well
- b. Proposed source of water Well

7. SEWER SERVICES

Describe:

- a. Existing sewage disposal Septic Field
- b. Proposed sewage disposal Septic Field

8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF

I THOMAS C. PENNER, ALS (BOA File No. 14-12367) 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.

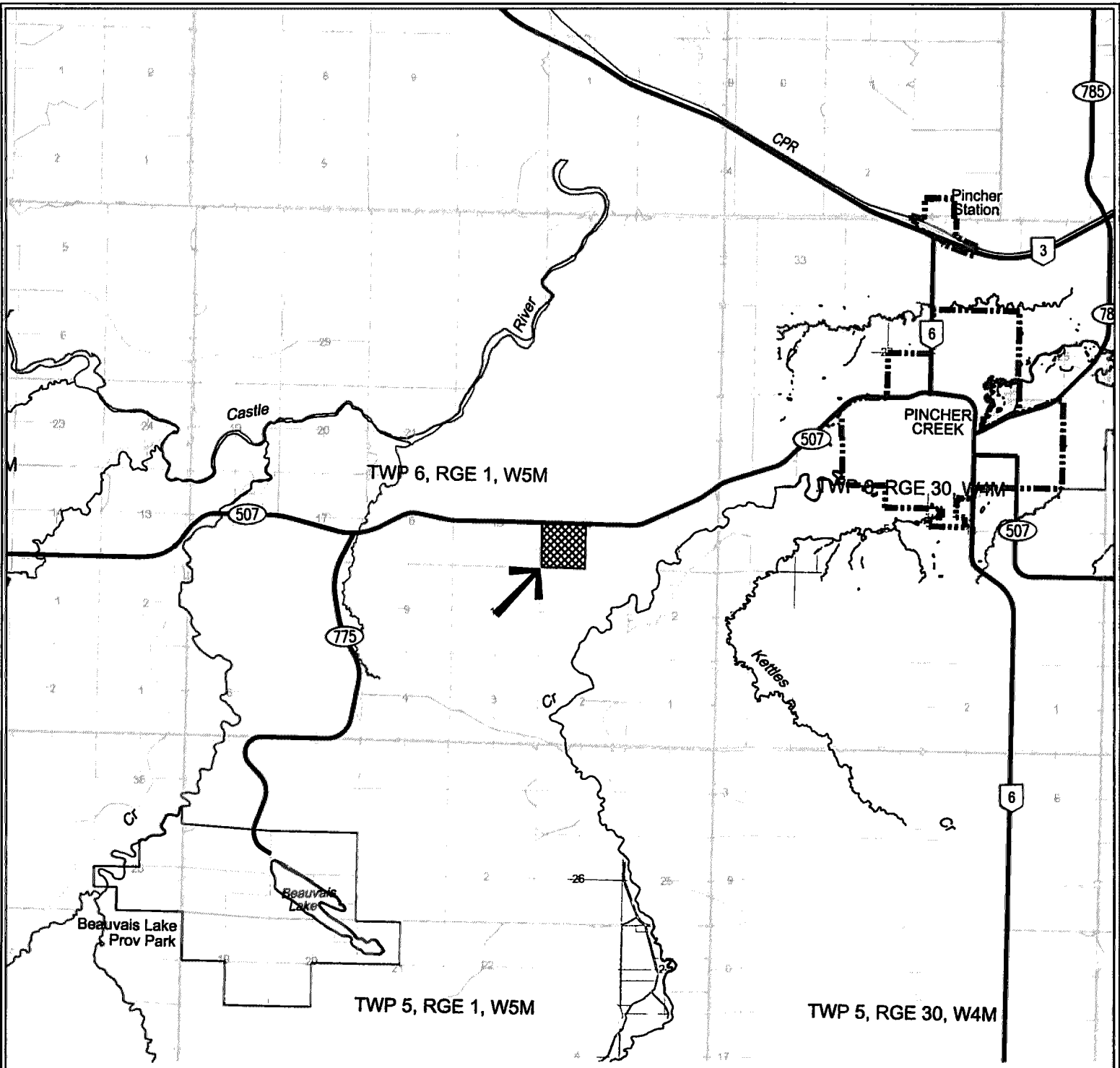
Signed: [Signature] Date: July 28/14

9. RIGHT OF ENTRY

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

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

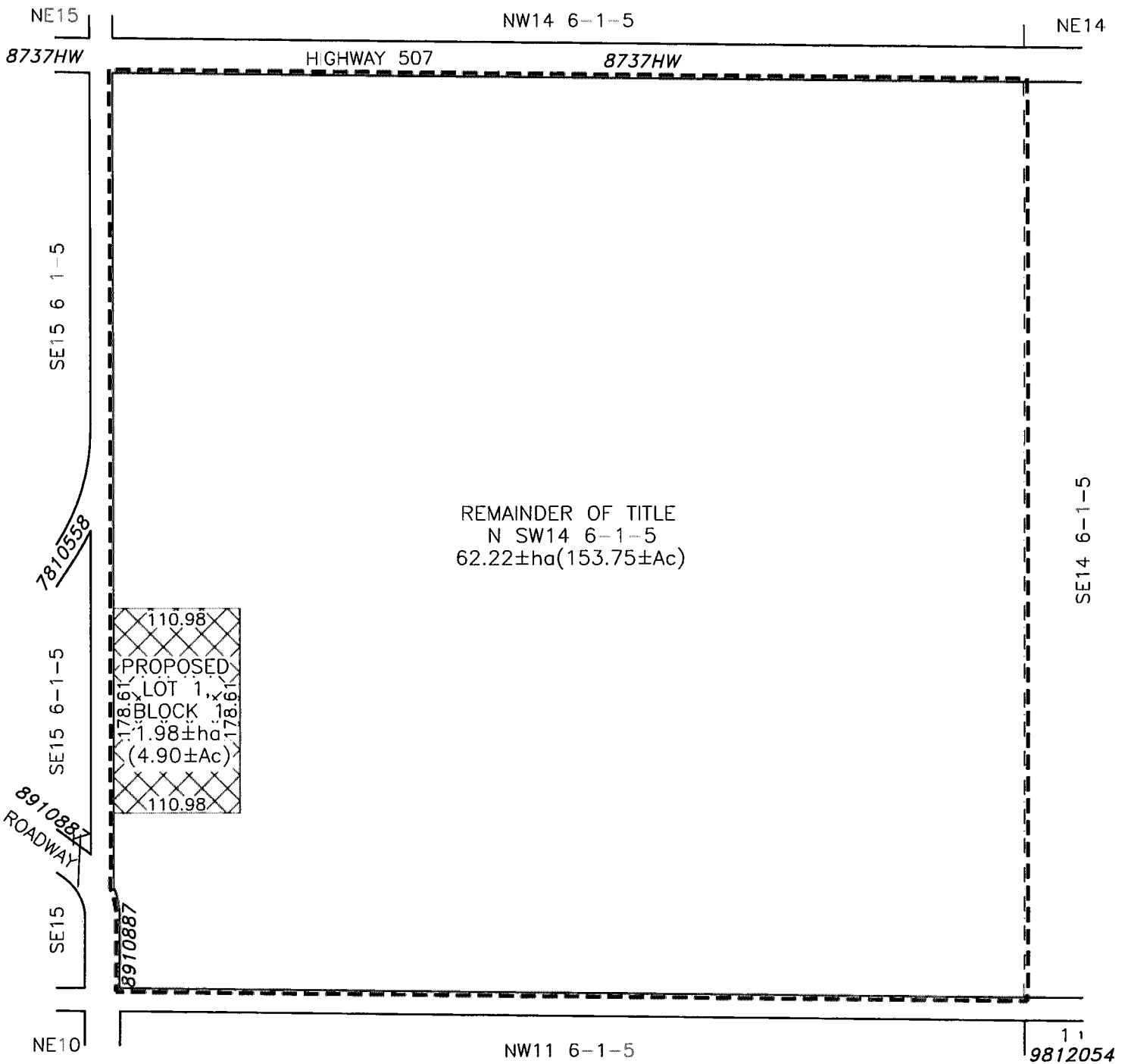
Signature of Registered Owner



SUBDIVISION LOCATION SKETCH
SW 1/4 SEC 14, TWP 6, RGE 1, W 5 M
MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
DATE: JULY 30, 2014
FILE No: 2014-0-113

MAP PREPARED BY:
 OLDMAN RIVER REGIONAL SERVICES COMMISSION
 3900 18th AVENUE NORTH LETHBRIDGE, AB T1V 2E2
 NOT RESPONSIBLE FOR ERRORS OR OMISSIONS





SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 14-12367T

SW 1/4 SEC 14, TWP 6, RGE 1, W 5 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: JULY 30, 2014

FILE No: 2014-0-113



0 100 200 300 400 Metres

July 30, 2014 N:\Subdivision\2014\2014-0-113.dwg





SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 14-12367T

SW 1/4 SEC 14, TWP 6, RGE 1, W 5 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: JULY 30, 2014

FILE No: 2014-0-113

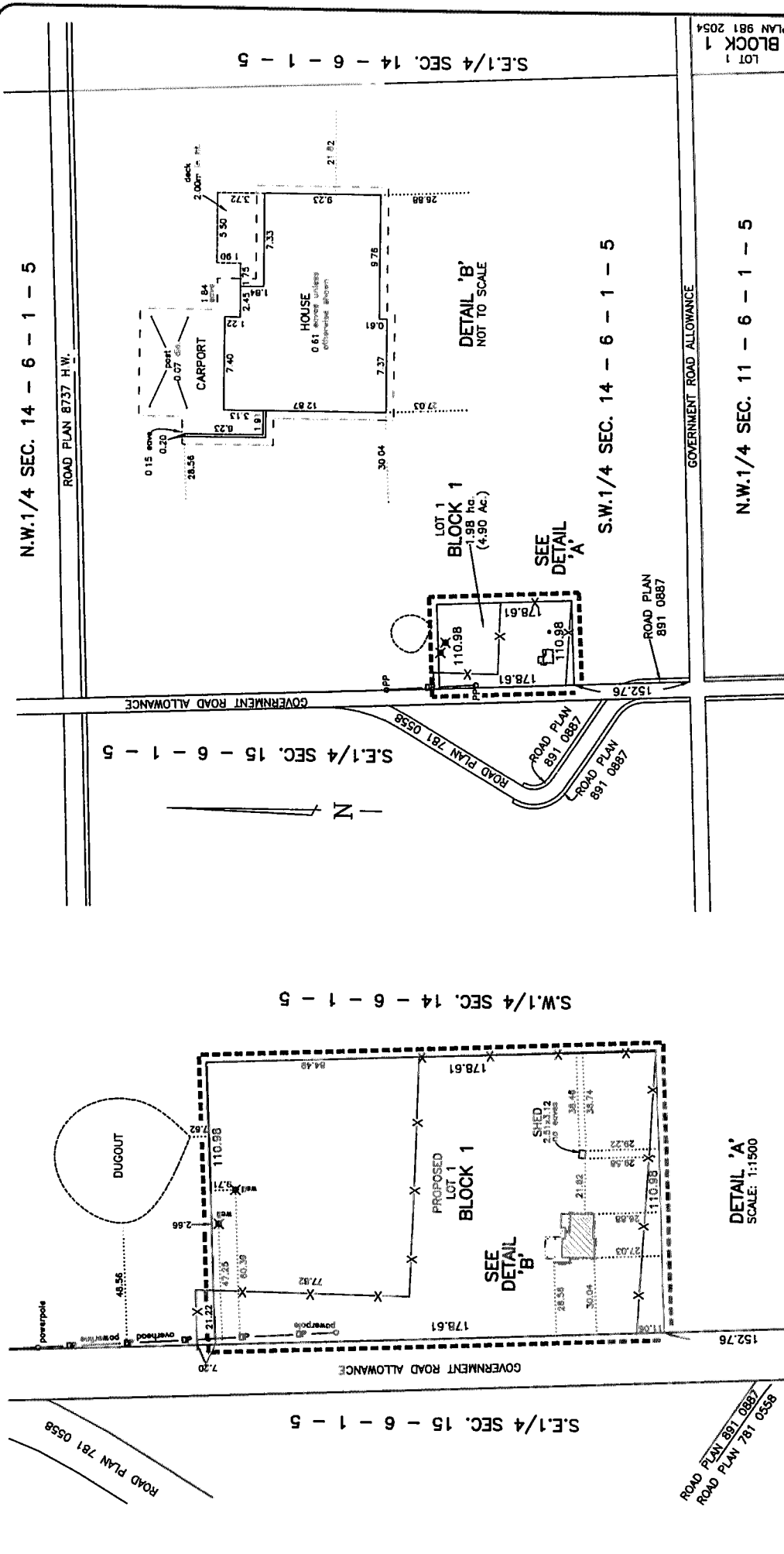


OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 100 200 300 400
July 30, 2014 N:\Subdivision\2014\2014-0-113.dwg



AERIAL PHOTO DATE: 2012



N.W.1/4 SEC. 14 - 6 - 1 - 5

ROAD PLAN 8737 H.W.

S.E.1/4 SEC. 15 - 6 - 1 - 5

S.W.1/4 SEC. 14 - 6 - 1 - 5

N.W.1/4 SEC. 11 - 6 - 1 - 5

LOT 1
BLOCK 1
PLAN 981 2054

BRYAN & LANA ZORATTI

TENTATIVE PLAN SHOWING SUBDIVISION
of part of

S.W.1/4 SEC. 14; TWP. 6; RGE. 1; W.5 M.

MUNICIPAL DISTRICT OF PINCHER CREEK No. 9

bood brown okamura & associates ltd.
Professional Surveyors
514 Stoford Drive, Lethbridge, Alberta

APPROVED	DRAWN	CJB	DATE	JULY 24/14
<i>[Signature]</i>	CHECKED	TCP	JOB	14-12387
	SCALE		DRAWING	14-12367T
			SCALE	1:5000
				T. C. Penner, A.L.S.

NO.	REVISION	DATE	BY

Improvements shown were surveyed on July 10th, 2014

NOTE : Portion to be approved is outlined thus _____ and contains approximately 1.98 ha.
Distances are in metres and decimal parts thereof.
Distances and areas are approximate and are subject to change upon final survey.

ROAD PLAN 891 0887
ROAD PLAN 781 0558

Tara Cryderman

From: Gavin Scott <gavinscott@orrsc.com>
Sent: Wednesday, August 27, 2014 10:36 AM
To: Tara Cryderman
Cc: Roland Milligan
Subject: Subdivision

Please add a discussion item to the subdivision authority meeting regarding 'first parcel out of a subdivided quarter section'.

Thanks
Gavin