

Agenda
Municipal District of Pincher Creek No. 9
Subdivision Authority Meeting
August 3, 2021
6:00 pm

1. Adoption of Agenda

2. Adoption of Minutes

- a. Minutes of July 6, 2021

3. Closed Meeting Session

4. Unfinished Business

5. Subdivision Application

- a. Subdivision Application No. 2021-0-124
Edward Cervo, Audrey Alice Cervo and Norman Adrian Cervo
S1/2 14-7-3-W5M
- b. Subdivision Application No. 2021-0-128
Mark Burles
NE1/4 16-9-1-W5M
- c. Subdivision Application No. 2021-0-129
Mark Burles
SE1/4 16-9-1-W5M
- d. Subdivision Application No. 2021-0-130
Kenneth W Fast and Sharon A Fast
Lots 5-10, Block 15, Plan 7850AL within SW1/4 10-6-2-W5M

6. New Business

7. Next Regular Meeting September 7, 2021 6:00 pm

8. Adjournment

**Meeting Minutes of the Subdivision Authority
Tuesday, July 6, 2021; 6:00 pm
MD of Pincher Creek No. 9**

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, 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 Quentin Stevick 21/037

Moved that the Subdivision Authority Agenda for July 6, 2021, be approved as presented.

Carried

2. ADOPTION OF MINUTES

Councillor Bev Everts 21/038

Moved that the June 1, 2021, Subdivision Authority Minutes, be approved as amended.

Carried

3. CLOSED MEETING SESSION

Councillor Rick Lemire 21/039

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 6:03 pm.

Carried

Councillor Terry Yagos 21/040

Moved that the Subdivision Authority open the meeting to the public, the time being 6:14 pm.

Carried

MINUTES
SUBDIVISION AUTHORITY
Municipal District of Pincher Creek No. 9
July 6, 2021

4. UNFINISHED BUSINESS

Nil

5. SUBDIVISION APPLICATIONS

- a. Subdivision Application No. 2021-0-092
Audrey Elizabeth McRae and Stewart McRae
NE1/4 1-5-30-W4M, M.D. of Pincher Creek No. 9

Councillor Terry Yagos

21/041

Moved that the Agricultural subdivision of NE1/4 1-5-30-W4M (Certificate of Title No. 201 130 940), to create an 8.36 acre (3.39ha) parcel from a title of 75.18 acres (30.4 ha) for agricultural use; BE APPROVED subject to the following:

RESERVE:

The 10% reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on the 8.36 acres at the market Value of \$3,100 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 proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. The proposed subdivision complies with the M.D. of Pincher Creek subdivision policy R.15.

Carried

MINUTES
SUBDIVISION AUTHORITY
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- b.** Subdivision Application No. 2021-1-114
Max Muselius and Brenda Muselius
NW1/4 18-9-1-W5M
M.D. of Pincher Creek No. 9

Councillor Bev Everts

21-042

Moved that the Country Residential subdivision of NW1/4 18-9-1-W5M (Certificate of Title No. 021 386 703 +1), to create a 14.25 acre (5.77 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 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.

Carried

6. NEW BUSINESS

Nil

7. NEXT MEETING – Tuesday, August 3, 2021; 6:00 pm.

MINUTES
SUBDIVISION AUTHORITY
Municipal District of Pincher Creek No. 9
July 6, 2021

8. **ADJOURNMENT**

Councillor Rick Lemire

21/0043

Moved that the meeting adjourn, the time being 6:15 pm.

Carried

Brian Hammond, Chair
Subdivision Authority

Roland Milligan, Secretary
Subdivision Authority

DRAFT

DRAFT RESOLUTION

Our File: 2021-0-124

July 20, 2021

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

Dear Mr. MacCulloch,

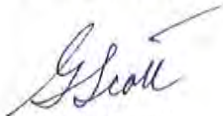
RE: S1/2 14-7-3-W5M / M.D. of Pincher Creek No. 9

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

The Subdivision Authority should note that comments have not been received from the Municipality of Crowsnest Pass, R.Dyck - ORRSC, M. Burla - ORRSC, Livingstone Range School Division, AltaLink, AB Environment & Parks - C. Wojtowicz, AB Environment & Parks - J. Wu, AB Environment Operations Infrastructure Branch (OIB), AER and CPR.

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

2021-0-124

M.D. of Pincher Creek No. 9 Agricultural & Country Residential subdivision of S1/2 14-7-3-W5M

THAT the Agricultural & Country Residential subdivision of S1/2 14-7-3-W5M (Certificate of Title No. 051 163 851 +2, 051 163 851 +4), to create a 9.72 acre (3.93 ha) lot and a 111.00 acre (44.92 ha) lot from 2 titles of 170.80 acres (69.12 ha) and 56.19 acres (22.74 ha) respectively for country residential and agricultural use; BE APPROVED subject to the following:

RESERVE:

The 10% reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on the 9.72 acres (proposed Lot 1) at the market value of \$4,000 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 and comply with 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 titles described as Lot 2 be consolidated as described in the tentative plan (BOA file 20-14772T) in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.
4. That the remainder portions lying south of the railway right-of-way and those between the railway and the highway be consolidated into two lots running on either side of the railway, in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.
5. That the applicant is responsible, at their expense, for carrying out any requirements of the provincial Historical Resources Administrator with respect to the Historical Resources Act prior to registration of the plan of subdivision.

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.21.

INFORMATIVE:

- (a) Since the proposed subdivision complies with Section 663(b) of the Municipal Government Act, Reserve is not required for proposed Lot 2.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.

- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) The payment of the applicable 10% Municipal Reserve on the 9.72 acres must be satisfied using Municipal District of Pincher Creek Policy 422. The MD assessor has provided a land value for the 9.72 acre (3.93 ha) being subdivided at \$4,000 per acre. Using the formula from Policy 422, the amount owing to satisfy Municipal Reserve is approximately \$3,888 with the actual amount less the acreage for environmental reserve to be determined at the finalization stage for Municipal Reserve purposes.
- (e) Telus Communications Inc has no objection.
- (f) **Easements are required** for this development. FortisAlberta will contact the developer to initiate the process of securing an easement for the proposed subdivision. FortisAlberta is requesting that the county defer its subdivision approval until such time as this easement process is complete and the developer has entered into an appropriate easement agreement with FortisAlberta and the easement has been properly registered with Land Titles (Alberta). FortisAlberta will notify once these steps have been completed and confirm to you that FortisAlberta no longer has any concerns with approval of this subdivision.

FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision and for the easement by contacting FortisAlberta at 310-WIRE (310-9473) to make application.

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

- (g) 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.
- (h) ATCO Transmission high pressure pipelines has no objections. Questions or concerns can be forwarded to hp.circulations@atco.com.
- (i) 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:
 - Please be advised that if water wells are planned near the gravel pit they may be impacted by it and therefore not located suitably.
 - Alberta Health Services does not object to this subdivision.

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

- (j) Historical Resources – Barry Newton, Land Use Planner:

"We have reviewed the captioned Subdivision Application and determined that the property in question has an HRV value of 4a,h and 5a.

Consequently, the applicant must obtain *Historical Resources Act* approval prior to proceeding with any land surface disturbance associated with development by submitting a Historic Resources Application through Alberta Culture, Multiculturalism and Status of Women's Online Permitting and Clearance (OPaC) system – www.opac.alberta.ca.

The applicant should review the Land Use Procedures Bulletin: Subdivision Development Historical Resources Act Compliance (<https://open.alberta.ca/publications/subdivision-historical-resources-act-compliance>) prior to OPaC submission (attached)."

- (k) Canada Post has no comment.

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

“Reference your file to create a parcel for agricultural and 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, currently and as proposed, the agricultural parcel to be created will gain direct access to the provincial highway system and the proposed country residential parcel to be created will gain indirect access to the provincial highway system solely by way of the local road system. Given this, strictly from Alberta Transportation’s point of view, we do not anticipate that the creation of the agricultural and country residential parcels 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 within the noted control lines and as such any development would require the benefit of a permit from Alberta Transportation. To ensure that any future highway expansion plans are not unduly compromised, minimum setbacks would be identified and invoked as condition of approval such that an adequate buffer would be maintained alongside the highway and any other highway related issues could be appropriately addressed. The applicant could contact Alberta Transportation through the undersigned, at Lethbridge 403-388-3105, in this regard.

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

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

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

FOR INFORMATION PURPOSES ONLY

The applicant is advised that Highway 3 will be expanded to a four-lane limited access facility in the future. Alberta Transportation has completed but not yet commissioned the “Highway 3:02 & 3:04-Stage 2 – Passburg to Pincher Station Study Area - Functional Planning Study” of which will identify but not be limited to an alignment for the future lanes, an access management strategy and right-of-way requirements for the expansion. The interim stage of the access management strategy would see removal of all direct highway access and replacement with strategically located at-grade local road

intersections. At that time access to the highway may become somewhat less convenient/more circuitous.

Whereas planning to date indicate that the subject property will be impacted by right-of-way requirements for the expansion, strictly from Alberta Transportation's point of view, creation of the country residential parcel as proposed will not have a significant impact on acquirement of the additional right-of-way when required of which at this juncture the expansion plans are considered to be long-range. The Executive Summary can be viewed at <https://open.alberta.ca/publications/highway-3-functional-planning-study-stage-2-passburg-to-pincher-station>."

CHAIRMAN

DATE

Subdivision *Historical Resources Act* Compliance

PURPOSE: To identify the circumstances under which proposed subdivisions require *Historical Resources Act* approval and to provide guidelines for the submission of applications to obtain approval.

SCOPE: Subdivision applicants, developers, municipalities, and other planning authorities in Alberta.

BACKGROUND: In accordance with Section 5(5) of the [Subdivision and Development Regulation](#), applications for subdivision of areas containing or likely to contain historic resources must be referred to Alberta Culture and Tourism. This applies equally to private and public lands.

PROCEDURES - ROUTINE:

Subdivision

The subdivision authority and/or the owner/developer must consult Alberta Culture and Tourism's *Listing of Historic Resources*¹ to determine if the lands that are subject to subdivision have been flagged as having a **Historic Resource Value (HRV)**.

1. If the subject lands **do not** overlap areas identified in the *Listing of Historic Resources*, *Historical Resources Act* approval is not required, although the provisions of Section 31 of the *Historical Resources Act* still apply.²

¹ Alberta Culture and Tourism's *Listing of Historic Resources* is a publically available list of lands that contain, or are likely to contain, significant historic resources. Updated twice yearly, the *Listing* is an information resource for residential, commercial, and industrial developers and can guide the regulatory approval process. The *Listing* and Instructions for Use are available at: <https://www.alberta.ca/listing-historic-resources.aspx>.

² It is important to note that, even if *Historical Resources Act* approval is not required prior to the initiation of land surface disturbance activities, or if *Historical Resources Act* approval has been granted, Section 31 of the *Act* requires that anyone who discovers a historic resource, such as an archaeological, palaeontological, historic structures or Aboriginal Traditional Use site, during the course of development activities must cease work and notify Alberta Culture and Tourism immediately for further direction on the most appropriate action. Details about who to contact can be found in [Standard Requirements under the *Historical Resources Act*: Reporting the Discovery of Historic Resources](#).

2. **If the subject lands wholly or partially overlap areas identified as having an HRV of 1, 2, 3, or 4 in the *Listing of Historic Resources*, *Historical Resources Act* approval is required.** A Historic Resources (HR) Application must be submitted to Alberta Culture and Tourism via the Online Permitting and Clearance (OPaC) system.³ Development activities, including any land disturbance, may not proceed until *Historical Resources Act* approval has been obtained in writing.⁴
3. **If the subject lands wholly or partially overlap areas identified as having an HRV of 5 (and no other value) in the *Listing of Historic Resources*, *Historical Resources Act* approval must be obtained through the submission of an HR Application, with the following exceptions:**
 - First parcel out
 - 80-acre split
 - Lot line/boundary adjustment
 - Parcel consolidation

Subdivisions for these four purposes do not require *Historical Resources Act* approval if situated in lands assigned an HRV of 5 only. Subdivision of HRV 5 lands for all other purposes do require *Historical Resources Act* approval, and development, including any land disturbance, may not proceed until this approval has been obtained in writing.

Lands that contain, or are likely to contain, significant historic resources may require the conduct of a [Historic Resources Impact Assessment](#) (HRIA) prior to development. If required, this direction will be communicated in Alberta Culture and Tourism's response to the HR application. An HRIA must be conducted by a qualified heritage consultant on behalf of the developer, at the developer's expense. Results of the HRIA must be reported to Alberta Culture and Tourism and subsequent *Historical Resources Act* approval must be granted before development proceeds.

Where a proposed subdivision includes lands that overlap areas with HRVs on the Listing, a Subdivision Authority may choose to submit the details for review in an HR Application prior to subdivision approval or condition *Historical Resource Act* approval as part of their subdivision approval. In these instances, no development activities are to commence until *Historical Resources Act* approval has been granted.

³ Information regarding Historic Resources Applications and the OPaC system can be found at: <https://www.alberta.ca/online-permitting-clearance.aspx>.

⁴ Where *Historical Resources Act* approval is required, the Historic Resources Application must include all lands in the subdivision area, not just those identified as having an HRV.

Area Structure and Redevelopment Plans

Alberta Culture and Tourism recommends that municipalities and/or developers submit for review through the OPaC system, all Area Structure Plans, Area Redevelopment Plans, and other long-term planning documents. The outcome of this review will provide the applicant with information about historic resource concerns in the planning areas and may offer guidance for developing strategies to address these concerns.

PROCEDURES – NON-ROUTINE:

Notwithstanding the instruction provided above, if Alberta Culture and Tourism is made aware of historic resource concerns associated with lands not included in the *Listing of Historic Resources*, direction may be given to submit an HR application. This direction is made under Section 37(2) of the [*Historical Resources Act*](#) and can be applied to any type of project.

For further information please contact:

[Head, Regulatory Approvals & Information Management](#)
Historic Resources Management Branch
Alberta Culture and Tourism

Approved by: Darryl Bereziuk, Director, Archaeological Survey

Date: January 22, 2019

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: June 28, 2021

Date of Receipt: June 16, 2021

Date of Completeness: June 18, 2021

TO: Landowners: Edward Cervo, Audrey Alice Cervo and Norman Adrian Cervo

Agent or Surveyor: Zachary J. Prosper, A.L.S.

Referral Agencies: M.D. of Pincher Creek No. 9, Bev Everts, Municipality of Crowsnest Pass, R.Dyck - ORRSC, M. Burla - ORRSC, Livingstone Range School Division, AltaLink, FortisAlberta, TELUS, ATCO Gas, ATCO Pipelines, AB Health Services - South Zone, AB Environment & Parks - C. Wojtowicz, AB Environment & Parks - J. Wu, AB Environment Operations Infrastructure Branch (OIB), AB Transportation, Historical Resources Administrator, AER, Canada Post, CPR

Adjacent Landowners: The Nature Conservancy of Canada, Alberta Forestry Lands & Wildlife, Norm Cervo, Edward Cervo, Miles Gillman & Suzanne Snowden-Gillman, Tommy Chambers & Barbara Pollice, Darren & Elizabeth Cook, Elwyn & Shirley Eddy & James Eddy

Planning Advisor: Gavin Scott *GS*

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 **July 19, 2021**. (Please quote our File No. **2021-0-124** in any correspondence with this office).

File No.: 2021-0-124

Legal Description: S1/2 14-7-3-W5M

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

Land Designation: Agriculture – A
(Zoning)

Existing Use: Agricultural & Country Residential

Proposed Use: Agricultural & Country Residential

of Lots Created: 2

Certificate of Title: 051 163 851 +2, 051 163 851 +4

Meeting Date: August 3, 2021

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

Planner's Preliminary Comments:

The purpose of this application is to create a 9.72 acre (3.93 ha) lot and a 111.00 acre (44.92 ha) lot from 2 titles of 170.80 acres (69.12 ha) and 56.19 acres (22.74 ha) respectively for country residential and agricultural use.

The proposal is to accommodate the subdivision of an existing yard site, which presently contains a dwelling, old house, shack, and number of other out-buildings. Access to the lot is presently granted from an existing approach to the east, off of a 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 Intermunicipal Development Plan with Crowsnest Pass, MD of Pincher Creek's Municipal Development Plan, the Burmis Lundbreck Area Structure Plan, and Land Use Bylaw. The Subdivision Authority is hereby requested to consider the following when rendering a decision on this application:

1. Any outstanding property taxes shall be paid to the MD of Pincher Creek.
2. The applicant or owner or both enter into a Development Agreement with the MD.
3. Provision of a surveyor's sketch to illustrate lot dimensions and improvements on site.
4. Consideration of adjacent landowners and referral agencies comments.
5. That any easement(s) as required by utility companies, or the municipality shall be established prior to finalization of the application.
6. That any conditions of Alberta Transportation shall be established prior to finalization of the application.
7. That the portions of titles described as Lot 2 be consolidated as described in the tentative plan (BOA file 20-14772T) in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.
8. That the remainder portions lying south of the railway right-of-way and those between the railway and the highway be consolidated into two lots running on either side of the railway, in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.
9. That, any conditions of Alberta Culture, Multiculturalism and Status of Women, Historic Resources, shall be met prior to finalization. That the applicant submit a copy of the Historical Resources Act approval prior to registration of the plan of subdivision.

RESERVE:

- Municipal Reserve is not applicable pursuant to Section 663(b) of the MGA, as Lot 2 is greater than 40 acres and is to be used for agricultural purposes.
- The payment of the applicable 10% Municipal Reserve on the 9.72 acres with the actual amount to be determined at the final stage for Municipal Reserve purposes.

PROCESSING NOTES: No further comment pending a site inspection.

<p>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.</p>



**APPLICATION FOR SUBDIVISION
RURAL MUNICIPALITY**

FOR OFFICE USE ONLY	
Zoning (as classified under the Land Use Bylaw):	
Fee Submitted: \$2030.00	File No: 2021-0-124
APPLICATION SUBMISSION	
Date of Receipt: June 16, 2021	Received By: <i>[Signature]</i>
Date Deemed Complete: June 18, 2021	Accepted By: <i>[Signature]</i>

1. CONTACT INFORMATION

Name of Registered Owner of Land to be Subdivided: Edward, Audrey & Norman Cervo

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

Postal Code: [Redacted] Telephone: [Redacted] Cell: _____

Email: _____ 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: Zachary J. Prosper, ALS brown okamura & associates ltd.

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

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

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

2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

a. All/part of the ^{SE/SW} ¼ Section 14 Township 7 Range 3 West of 5 Meridian (e.g. SE¼ 36-1-36-W4M)

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

c. Total area of existing parcel of land (to be subdivided) is: 43&14.36 hectares 106.3&35.5 acres

d. Total number of lots to be created: 1 Size of Lot(s): 3.93 hectares (9.72 acres)

e. Rural Address (if applicable): _____

f. Certificate of Title No.(s): 051 163 851+2 & 051 163 851+4

3. LOCATION OF LAND TO BE SUBDIVIDED

a. The land is located in the municipality of M.D. Pincher Creek No.9

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

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. 3

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 Acreeage and farmland
- b. Proposed use of the land Subdivide Acreeage in S.E.14 and Consolidate remainder of S.E.1/4 title with title for LSD 6

5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED

- a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) mixed, steep hills
- b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.) native grass and trees
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) rocky
- d. Is this a vacant parcel (void of any buildings or structures)? Yes No
If "no", describe all buildings and any structures on the land. Indicate whether any are to be demolished or moved. 2 old buildings to be removed as shown on tentative plan
- e. Is there a Confined Feeding Operation on the land or within 1.6 kilometres (1 mile) of the land being subdivided? Yes No
- f. Are there any active oil or gas wells or pipelines on the land? Yes No
- g. Are there any abandoned oil or gas wells or pipelines on the land? Yes No

6. WATER SERVICES

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

7. SEWER SERVICES


- a. Describe existing sewage disposal: Type Septic Tank & Field Year Installed Approx. 2017
- b. Describe proposed sewage disposal: Type Septic Tank and Field

8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF

I, Zachary J. Prosper, ALS (boa file: 20-14772) hereby certify that


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

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

Signed:  Date: June 8/21

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.

Norman A. Cerro  David Cerro
Signature of Registered Owner(s)



LAND TITLE CERTIFICATE

S	LINC	SHORT LEGAL	TITLE NUMBER
	0021 261 375	5;3;7;14;NW	051 163 851 +2
	0021 261 383	5;3;7;14;SW	

LEGAL DESCRIPTION

FIRST
MERIDIAN 5 RANGE 3 TOWNSHIP 7
SECTION 14
QUARTER NORTH WEST
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME
AREA: 65.2 HECTARES (161 ACRES) MORE OR LESS

SECOND
MERIDIAN 5 RANGE 3 TOWNSHIP 7
SECTION 14
THAT PORTION OF THE SOUTH WEST QUARTER
WHICH LIES TO THE SOUTH OF THE RAILWAY ON PLAN RY31
CONTAINING 8.414 HECTARES (20.8 ACRES) MORE OR LESS AND
THAT PORTION OF LEGAL SUBDIVISION 6
WHICH LIES TO THE NORTH OF THE ROADWAY ON PLAN 2472AZ
CONTAINING 14.443 HECTARES (35.6 ACRES) MORE OR LESS
EXCEPTING ROADWAY PLAN 7910291 IN LEGAL SUBDIVISION 6
CONTAINING 0.085 HECTARES (0.21 ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 791 150 705

REGISTERED OWNER(S)					
REGISTRATION	DATE(DMY)	DOCUMENT	TYPE	VALUE	CONSIDERATION
051 163 851	12/05/2005	TRANSFER OF LAND			SEE INSTRUMENT

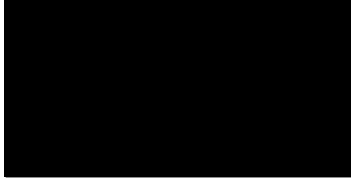
OWNERS

EDWARD CERVO

(CONTINUED)

AND
AUDREY ALICE CERVO

AND
NORMAN ADRIAN CERVO



ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
7896HQ .	11/06/1959	UTILITY RIGHT OF WAY GRANTEE - ALTALINK MANAGEMENT LTD. 2611 - 3 AVE SE CALGARY ALBERTA T2A7W7 AFFECTED LAND: 5;3;7;14;NW AS TO PORTION OR PLAN:536HS "3.04 ACRES" (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 021217477) (DATA UPDATED BY: CHANGE OF ADDRESS 091134213)
881 072 839	05/05/1988	CAVEAT RE : SEE CAVEAT CAVEATOR - ALTALINK MANAGEMENT LTD. 2611 - 3 AVE SE CALGARY ALBERTA T2A7W7 AFFECTED LAND: 5;3;7;14;NW (DATA UPDATED BY: TRANSFER OF CAVEAT 021182044) (DATA UPDATED BY: CHANGE OF ADDRESS 081472451)

TOTAL INSTRUMENTS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 14 DAY OF JUNE,
2021 AT 10:09 A.M.

ORDER NUMBER: 41915821

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

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

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



LAND TITLE CERTIFICATE

S	LINC	SHORT LEGAL	TITLE NUMBER
	0020 532 554	5;3;7;14;NE	051 163 851 +4
	0020 532 561	5;3;7;14;SE	
	0020 532 579	5;3;7;14;SW	

LEGAL DESCRIPTION

FIRST

MERIDIAN 5 RANGE 3 TOWNSHIP 7
SECTION 14
THAT PORTION OF THE NORTH EAST QUARTER WHICH IS NOT COVERED BY THE CROWSNEST RIVER, AS SHOWN ON THE TOWNSHIP PLAN APPROVED AT OTTAWA 7 JULY 1896, CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS EXCEPTING THEREOUT ALL MINES AND MINERALS

SECOND

MERIDIAN 5 RANGE 3 TOWNSHIP 7
SECTION 14
THAT PORTION OF THE SOUTH EAST QUARTER WHICH IS NOT COVERED BY THE CROWSNEST RIVER, AS SHOWN ON THE TOWNSHIP PLAN APPROVED AT OTTAWA 7 JULY 1896, CONTAINING 64.543 HECTARES (159.6 ACRES) MORE OR LESS EXCEPTING:

FIRST:

THAT PORTION OF THE ROADWAY ON PLAN 2472AZ WHICH LIES SOUTH EASTERLY OF THE PRODUCTION SOUTH WESTERLY OF THE NORTH WESTERLY LIMIT OF HILL STREET ON PLAN 3688AE, CONTAINING 0.938 OF A HECTARE (2.32 ACRES) MORE OR LESS

SECONDLY:

THOSE PORTIONS OF LEGAL SUBDIVISION 1 AND THE EAST HALF OF LEGAL SUBDIVISION 2, IN THE SAID SOUTH EAST QUARTER, NOT COVERED BY ANY OF THE WATERS OF THE CROWSNEST RIVER, AND TO THE SOUTH OF THE RAILWAY ON PLAN RY31, CONTAINING 7.192 HECTARES (17.77 ACRES) MORE OR LESS

THIRDLY:

SUBDIVISION ON PLAN 3688AE

FOURTHLY:

PLAN	NUMBER	HECTARES (MORE OR LESS)	ACRES
RAILWAY	RY14	4.929	12.17
ROADWAY	7910291	4.438	10.96

EXCEPTING THEREOUT ALL MINES AND MINERALS

THIRD
MERIDIAN 5 RANGE 3 TOWNSHIP 7
SECTION 14
THAT PORTION OF THE SOUTH WEST QUARTER WHICH LIES TO
THE NORTH OF THE RAILWAY ON PLAN RY 31,
CONTAINING 51.74 HECTARES (127.84 ACRES) MORE OR LESS
EXCEPTING:

FIRST:
THAT PORTION OF LEGAL SUBDIVISION 6 WHICH LIES TO THE
NORTH OF THE ROADWAY ON PLAN 2472AZ,
CONTAINING 14.443 HECTARES (35.6 ACRES) MORE OR LESS
SECONDLY:

PLAN	NUMBER	HECTARES (MORE OR LESS)	ACRES
GRAVEL PIT	938HX	1.749	4.32
ROADWAY	7910291	6.92	17.10

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 791 150 705 C .

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
051 163 851	12/05/2005	TRANSFER OF LAND		SEE INSTRUMENT

OWNERS

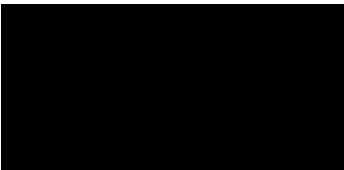
EDWARD CERVO

AND

AUDREY ALICE CERVO

AND

NORMAN ADRIAN CERVO



ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION	DATE (D/M/Y)	PARTICULARS
7896HQ	11/06/1959	UTILITY RIGHT OF WAY GRANTEE - ALTALINK MANAGEMENT LTD. (CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3
051 163 851 +4

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

2611 - 3 AVE SE
CALGARY
ALBERTA T2A7W7
AFFECTED LAND: 5;3;7;14;NE
AS TO PORTION OR PLAN:536HS
 (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT
 OF WAY 021217477)
 (DATA UPDATED BY: CHANGE OF ADDRESS 091134213)

881 072 841 05/05/1988 CAVEAT
 RE : AMENDING AGREEMENT
 CAVEATOR - ALTALINK MANAGEMENT LTD.
 2611 - 3 AVE SE
 CALGARY
 ALBERTA T2A7W7
 AFFECTED LAND: 5;3;7;14;NE
 (DATA UPDATED BY: TRANSFER OF CAVEAT
 021182044)
 (DATA UPDATED BY: CHANGE OF ADDRESS 081472451)

931 113 144 19/05/1993 UTILITY RIGHT OF WAY
 GRANTEE - AGT LIMITED.
 AFFECTED LAND: 5;3;7;14;SE
 5;3;7;14;SW
 AS TO PORTION OR PLAN:9211953
 TAKES PRIORITY OF CAVEAT 911259580
 REGISTERED ON 18/11/91

161 265 491 07/11/2016 EASEMENT
 AFFECTED LAND: 5;3;7;14;SE
 OVER AND FOR BENEFIT OF -
 SEE INSTRUMENT

161 267 817 09/11/2016 CAVEAT
 RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL
 GOVERNMENT ACT
 CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK
 NO. 9.
 BOX 279, PINCHER CREEK
 ALBERTA T0K1W0
 AFFECTED LAND: 5;3;7;14;SE

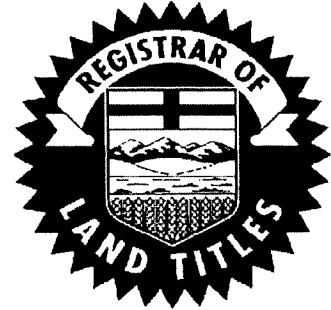
TOTAL INSTRUMENTS: 005

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 14 DAY OF JUNE,
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ORDER NUMBER: 41915821

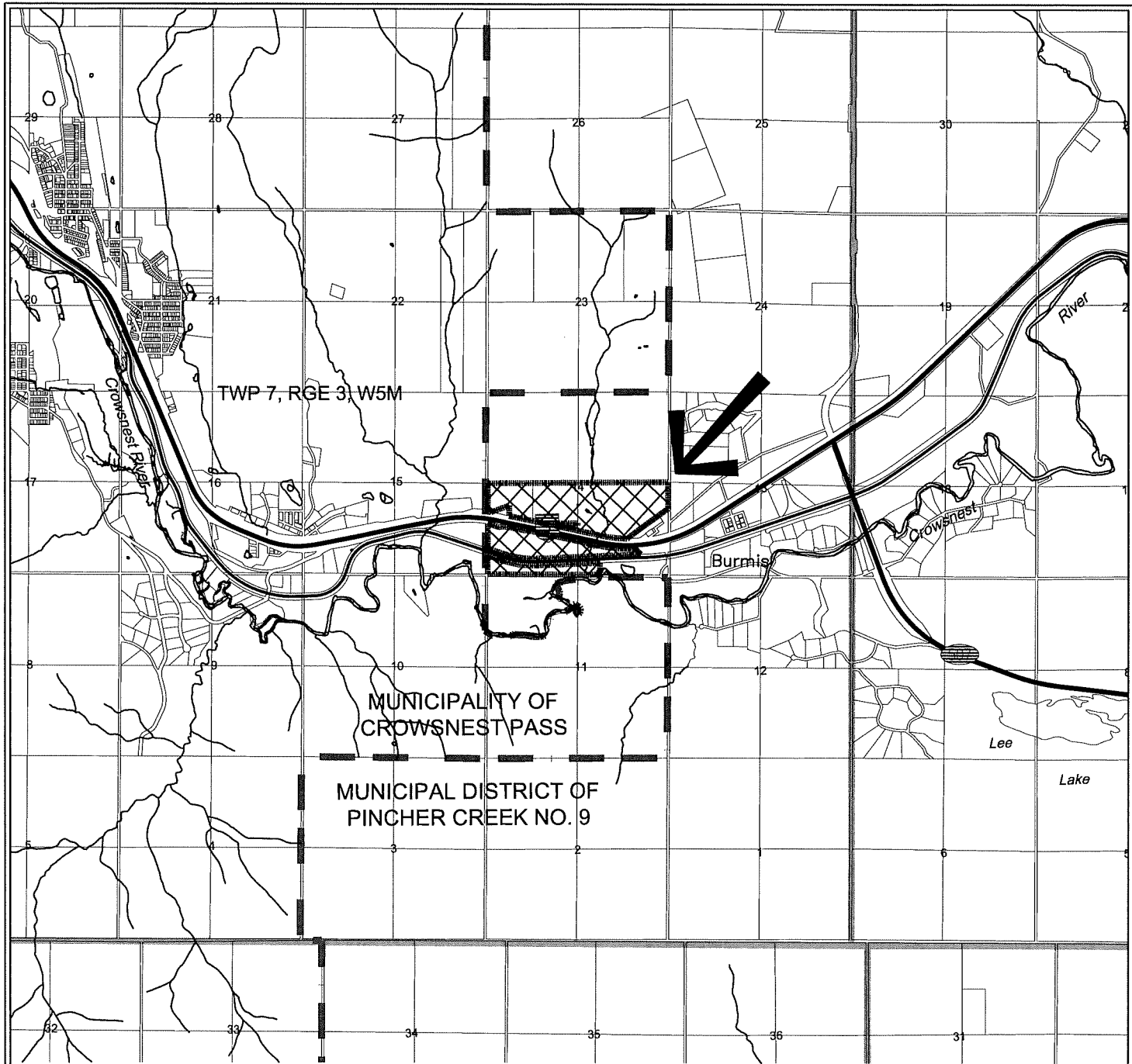
CUSTOMER FILE NUMBER:



END OF CERTIFICATE

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

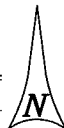


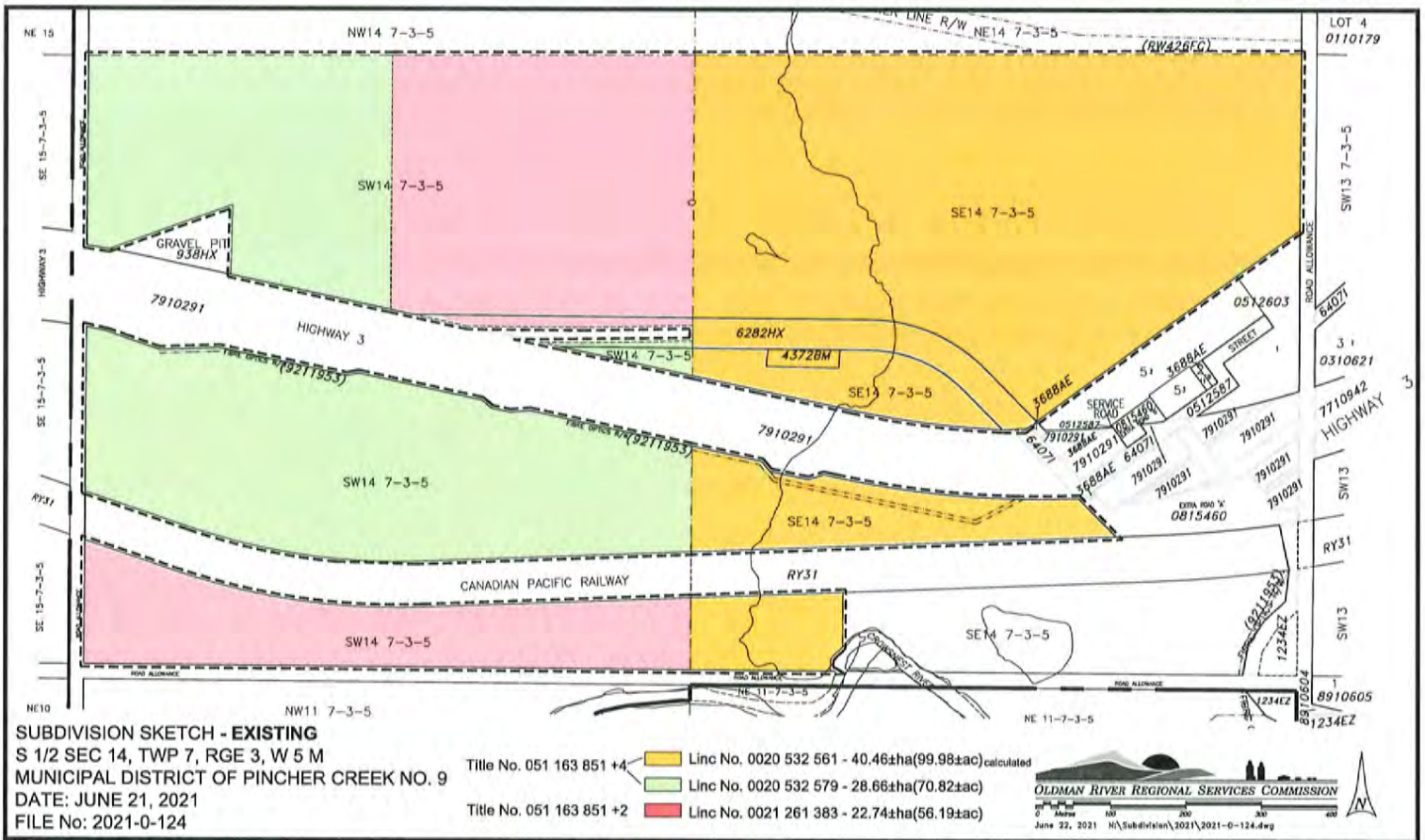
SUBDIVISION LOCATION SKETCH
S 1/2 SEC 14, TWP 7, RGE 3, W 5 M
MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
DATE: JUNE 22, 2021
FILE No: 2021-0-124

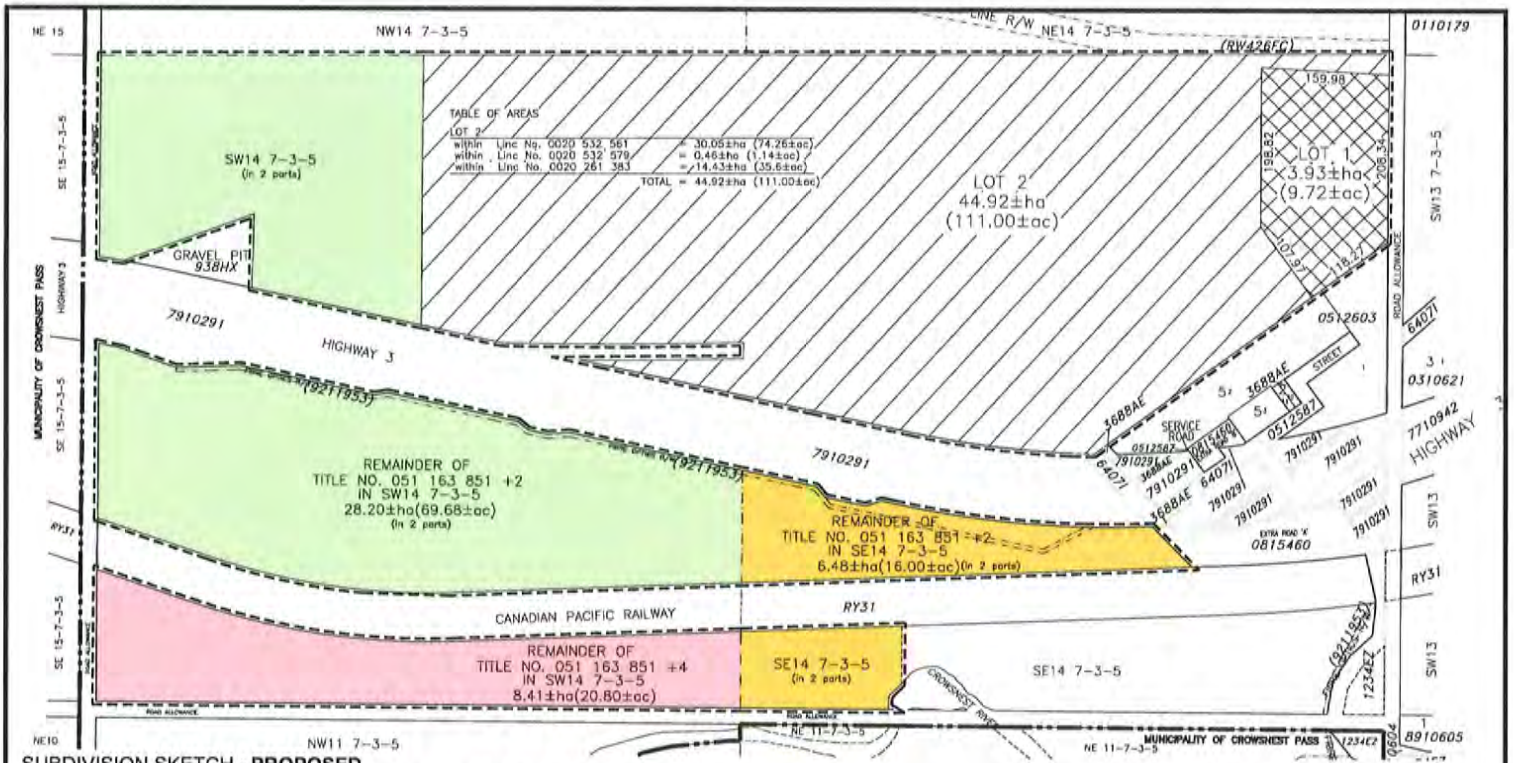
MAP PREPARED BY:
 OLDMAN RIVER REGIONAL SERVICES COMMISSION
 3185 16th AVENUE NORTH, LETHBRIDGE, AB T1H 0R8
 NOT RESPONSIBLE FOR ERRORS OR OMISSIONS



June 22, 2021 N:\Subdivision\2021\2021-0-124.dwg







SUBDIVISION SKETCH - PROPOSED

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 20-14772T

S 1/2 SEC 14, TWP 7, RGE 3, W 5 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: JUNE 22, 2021

FILE No: 2021-0-124





SUBDIVISION SKETCH - PROPOSED

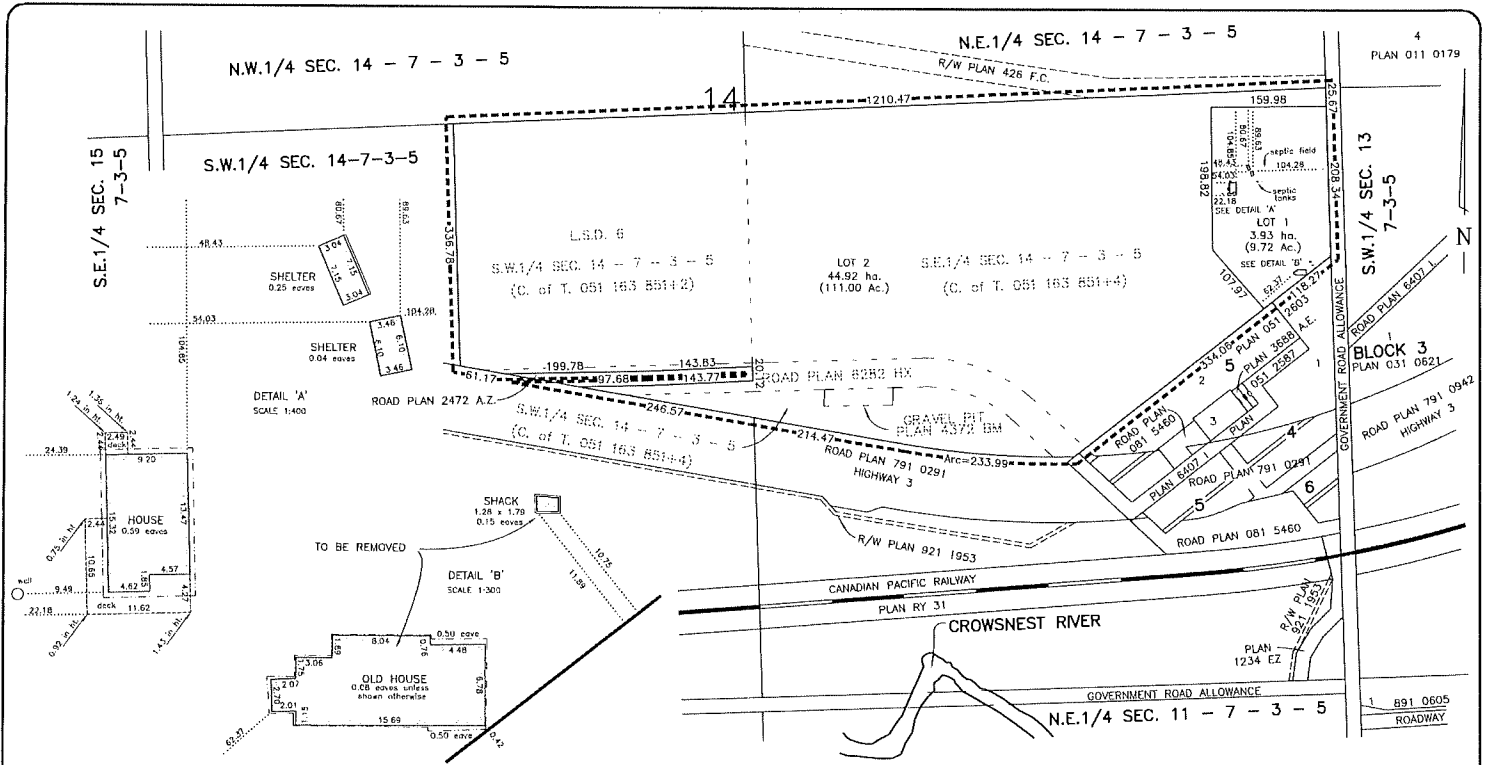
See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 20-14772T
 S 1/2 SEC 14, TWP 7, RGE 3, W 5 M
 MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
 DATE: JUNE 22, 2021
 FILE No: 2021-0-124

AERIAL PHOTO DATE: 2015

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 100 200 300 400 Meters

June 22, 2021 H:\Subdiv\2021\2021-0-124.dwg




NO.	REVISION	DATE	BY

NOTE : Portion to be approved is outlined thus ----- and contains approximately 48.85 ha. Distances are in metres and decimal parts thereof. Distances and areas are approximate and are subject to change upon final survey.

NORMAN CERVO

TENTATIVE PLAN OF SUBDIVISION
within
S.E.1/4 SEC. 14; TWP. 7; RGE. 3; W.5 M. &
(C. of T. 051 163 851 +4)
S.W.1/4 SEC. 14; TWP. 7; RGE. 3; W.5 M.
(C. of T. 051 163 851 +2)
Municipal District of Pincher Creek No. 9



brown okamura & associates ltd.
Professional Surveyors
2830 - 12th Avenue North, Lethbridge, Alberta T1H 5J9

APPROVED

CHECKED ZJP

SCALE

Z. J. Prosper A.L.S.

DATE JUNE 14/21

JOB 20-14772

DRAWING

20-14772T

DRAFT RESOLUTION

Our File: 2021-0-128

July 20, 2021

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

Dear Mr. MacCulloch,

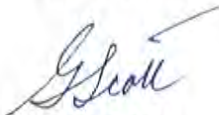
RE: NE1/4 16-9-1-W5M / M.D. of Pincher Creek No. 9

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

The Subdivision Authority should note that comments have not been received from the Livingstone Range School Division, AltaLink, AB Environment & Parks - J. Wu, AB Environment Operations Infrastructure Branch (OIB), AB Water Boundaries 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

2021-0-128

M.D. of Pincher Creek No. 9 Agricultural subdivision of NE1/4 16-9-1-W5M

THAT the Agricultural subdivision of NE1/4 16-9-1-W5M (Certificate of Title No. 111 221 296), to to create two cut off parcels being 69.13 acre (27.98 ha) and 4.35 acre (1.76 ha) respectively, from a previously unsubdivided quarter section of 147.89 acres (59.85 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 and comply with a Development Agreement with the M.D. of Pincher Creek No. 9 which shall be registered concurrently with the final plan against the title(s) being created.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. The proposed subdivision complies with the M.D. of Pincher Creek subdivision policy R.15.
4. The subdivision authority, in considering the written submission from John Garden, finds that the concerns are outside the parameters of the subdivision policies pertaining to the proposal.

INFORMATIVE:

- (a) Since the proposed subdivision complies with Section 663(a)(b) 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 objection.
- (e) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

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

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

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

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

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

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

(g) Alberta Health Services does not objection to this subdivision.

(h) Alberta Environment & Parks Public Lands has no concerns.

(i) Historical Resources – Barry Newton, Land Use Planner:

“We have reviewed the captioned subdivision application and determined that in this instance formal *Historical Resources Act* approval is not necessary, and submission of a Historic Resources application is not be required.”

(j) Canada Post has no comment.

(k) Comments from John Garden:

“My objection to subdivision of Mark Burles land is that those lots will no longer be agricultural as stated in Proposed Use but instead will be recreational or residential plots for acreage owners.

My second objection is that even prior to approval of subdivision the real estate agent said he has had offers on Lot 2 of Block 1 even before subdivision is approved and he has been actively showing the lots - I don't think that is quite right at all!

No one in this area is happy with this development and if Mark Burles had approached his neighbours in the first place I am sure he would have had purchase offers that would have satisfied his needs!

Sad indeed is the continual development of agricultural land in this MD.”

CHAIRMAN

DATE

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: June 28, 2021

Date of Receipt:

June 18, 2021

Date of Completeness:


June 21, 2021

TO: **Landowner:** Mark Burles

Agent or Surveyor: Zachary J. Prosper, A.L.S.

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

Adjacent Landowners: Edward Hewitt, Gary & Barbara Lewis, John Garden & Karen Campbell, Olin Creek Ranch Ltd., Richard & Charity Hewitt, Robert Hewitt, Robin & Kimberly Lewis, Zachary & Candace Lewis

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 **July 19, 2021**. (Please quote our File No. 2021-0-128 in any correspondence with this office).

File No.: 2021-0-128

Legal Description: NE1/4 16-9-1-W5M

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

Land Designation: Agriculture – A
(Zoning)

Existing Use: Agricultural

Proposed Use: Agricultural

of Lots Created: 2

Certificate of Title: 111 221 296

Meeting Date: August 3, 2021

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 two cut off parcels being 69.13 acre (27.98 ha) and 4.35 acre (1.76 ha) respectively, from a previously unsubdivided quarter section of 147.89 acres (59.85 ha) for agricultural use.

The proposal is to accommodate the subdivision land fragmented by MD roadways. Access to the lot is presently granted from an existing approach to the west, 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 surveyor's 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 Culture, Multiculturalism and Status of Women, Historic Resources, shall be met prior to finalization. That the applicant submit a copy of the Historical Resources Act approval prior to registration of the plan of subdivision.

RESERVE:

- Municipal Reserve is not applicable pursuant to Section 663(a) of the MGA, as Lot 1 is the first parcel from the quarter section.
- Municipal Reserve is not applicable pursuant to Section 663(b) of the MGA, as Lot 2 is greater than 40 acres and is to be used for agricultural purposes.

PROCESSING NOTES: No further comment pending a site inspection.

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



**APPLICATION FOR SUBDIVISION
RURAL MUNICIPALITY**

FOR OFFICE USE ONLY	
Zoning (as classified under the Land Use Bylaw):	
Fee Submitted: \$1370 <i>ce</i>	File No: 2021-0-128
APPLICATION SUBMISSION	
Date of Receipt: June 18 2021	Received By: <i>[Signature]</i>
Date Deemed Complete: June 21, 2021	Accepted By: <i>[Signature]</i>

1. CONTACT INFORMATION

Name of Registered Owner of Land to be Subdivided: Mark S Burles
 Mailing Address: [Redacted] City/Town: Cowley
 Postal Code: [Redacted] Telephone: [Redacted] Cell: _____
 Email: mburles@live.ca 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: Zachary J. Prosper, ALS brown okamura & associates ltd.
 Mailing Address: 2830 - 12 Avenue North City/Town: Lethbridge
 Postal Code: T1H 5J9 Telephone: 403-329-4688 ext. 132 Cell: _____
 Email: zach@bokamura.com Preferred Method of Correspondence: Email Mail

2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

- a. All/part of the NE ¼ Section 16 Township 9 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: 59.85 hectares 147.89 acres
- d. Total number of lots to be created: 2 Size of Lot(s): 1.76 hectares(4.35 acres) and 27.98 hectares(69.13 acres)
- e. Rural Address (if applicable): _____
- f. Certificate of Title No.(s): 111 221 296

3. LOCATION OF LAND TO BE SUBDIVIDED

- a. The land is located in the municipality of Municipal District of Pincher Creek No 9
- b. Is the land situated immediately adjacent to the municipal boundary? Yes No
 If "yes", the adjoining municipality is _____
- c. Is the land situated within 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 farmland
- b. Proposed use of the land separate quarter into parcels segregated by existing roadway

5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED

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

- d. Is this a vacant parcel (void of any buildings or structures)? Yes No

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

- 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 None

7. SEWER SERVICES

- a. Describe existing sewage disposal: Type None Year Installed _____
- b. Describe proposed sewage disposal: Type None

8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF

I, Zachary J. Prosper, ALS (boa file:21-15232) hereby certify that

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

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

Signed:  Date: June 15/21

9. RIGHT OF ENTRY

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


Signature of Registered Owner(s)



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0020 814 661 5;1;9;16;NE 111 221 296

LEGAL DESCRIPTION

MERIDIAN 5 RANGE 1 TOWNSHIP 9
SECTION 16
QUARTER NORTH EAST
CONTAINING 160 ACRES MORE OR LESS
EXCEPTING THEREOUT FOR ROAD DIVERSION
ON PLAN 2499JK CONTAINING 12.11 ACRES MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS


ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 741 117 336 D .

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
111 221 296	30/08/2011	TRANSFER OF LAND		SEE INSTRUMENT

OWNERS

MARK S BURLES


ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION	DATE (D/M/Y)	PARTICULARS
121 324 581	11/12/2012	CAVEAT RE : UTILITY RIGHT OF WAY CAVEATOR - FORTISALBERTA INC. 320-17 AVE SW CALGARY ALBERTA T2S2V1

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
111 221 296

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

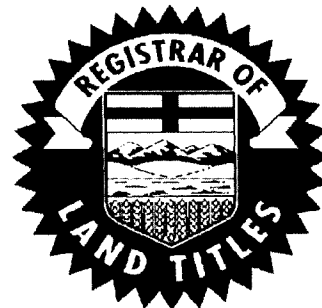
AGENT - ROB GUNN

TOTAL INSTRUMENTS: 001

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 10 DAY OF JUNE,
2021 AT 12:10 P.M.

ORDER NUMBER: 41894415

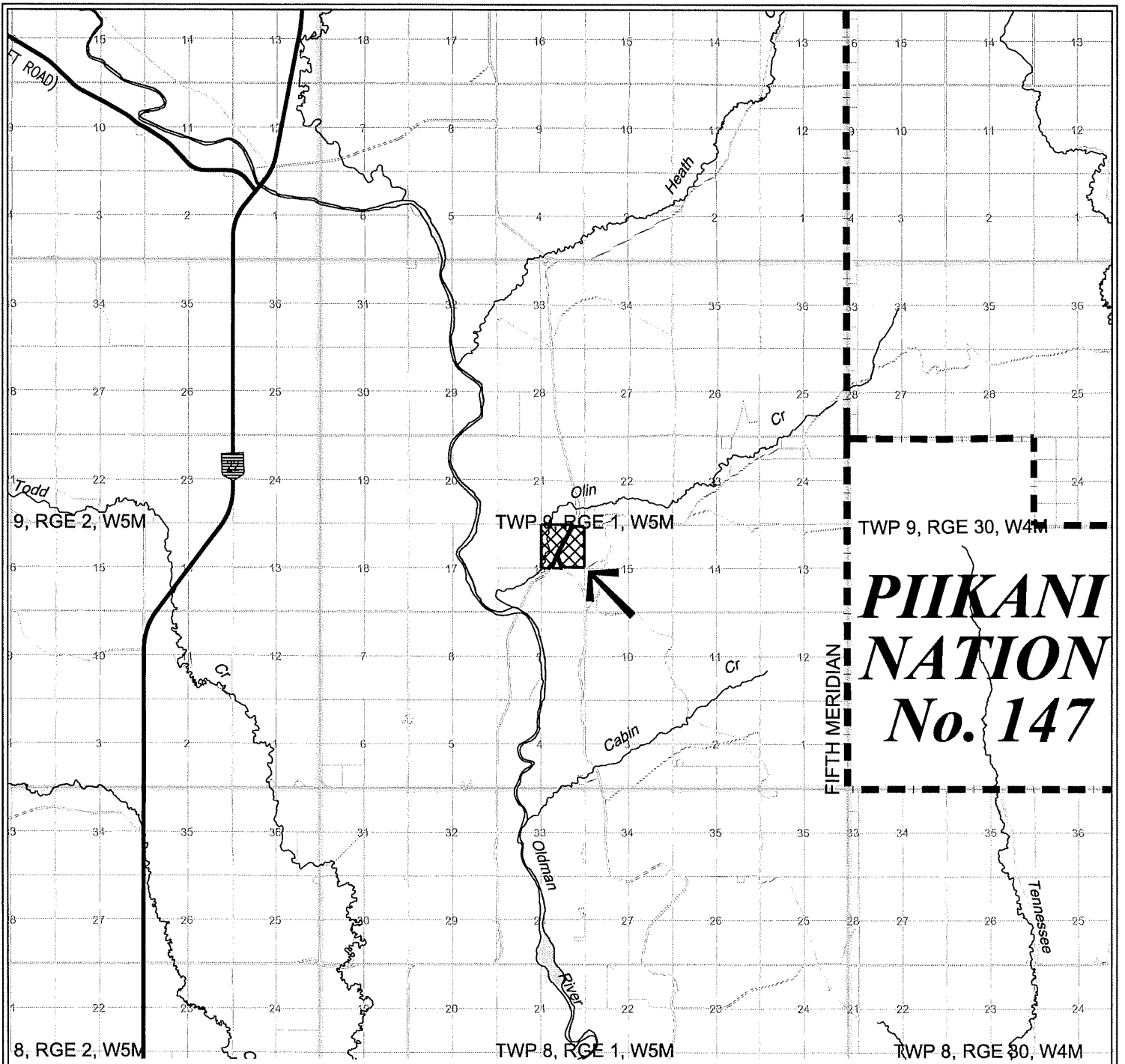
CUSTOMER FILE NUMBER:



END OF CERTIFICATE

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

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



**PIIKANI
NATION
No. 147**

SUBDIVISION LOCATION SKETCH

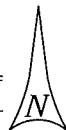
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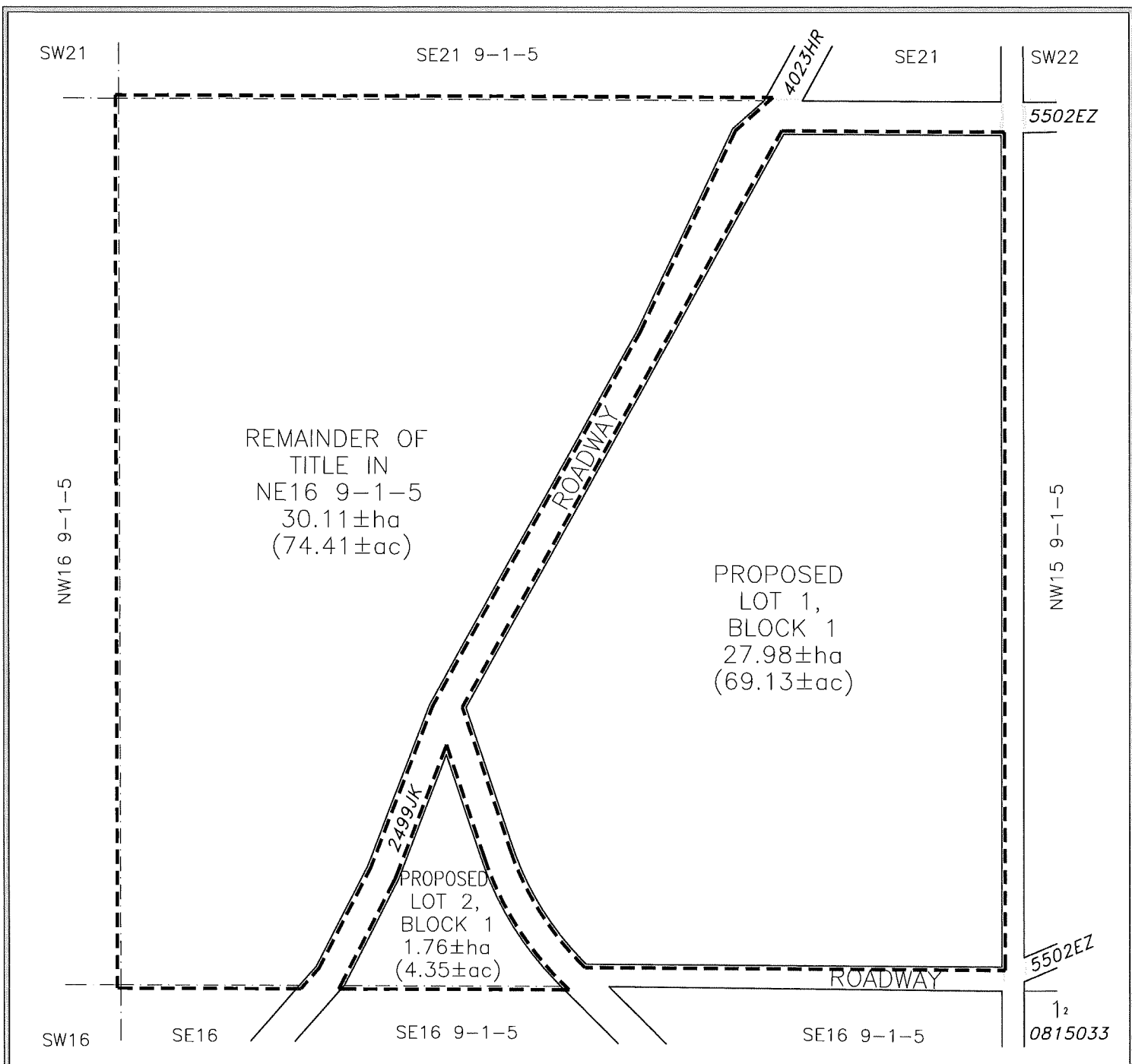
MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: JUNE 21, 2021

FILE No: 2021-0-128

MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3162 100 AVENUE NORTH LETHBRIDGE, AB T1A 0E6
NOT RESPONSIBLE FOR ERRORS OR OMISSIONS





SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 21-15232

NE 1/4 SEC 16, TWP 9, RGE 1, W 5 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: JUNE 21, 2021

FILE No: 2021-0-128





SUBDIVISION SKETCH

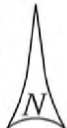
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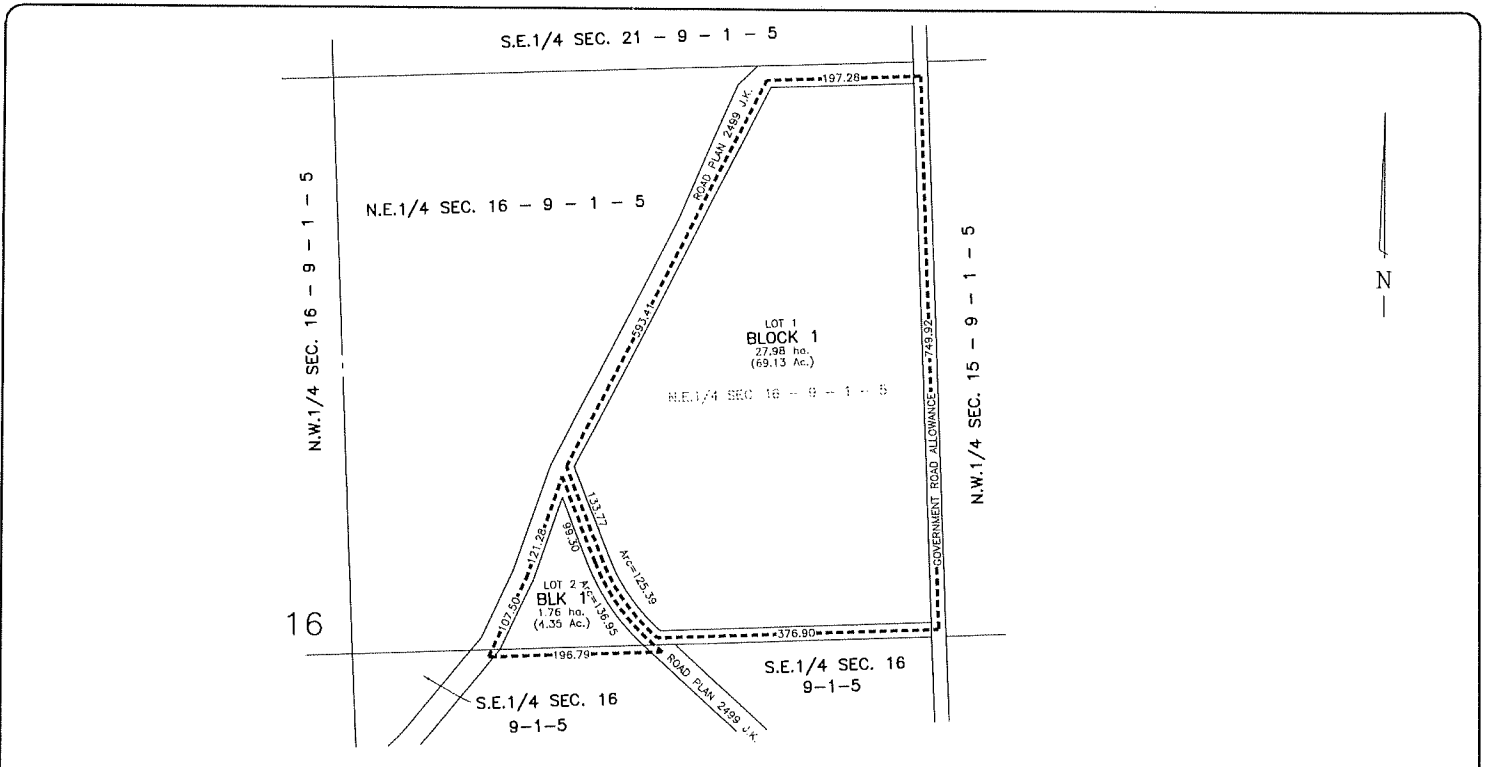
MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: JUNE 21, 2021

FILE No: 2021-0-128



AERIAL PHOTO DATE: 2015



				MARK BURLES	boa brown okamura & associates ltd. <small>Professional Surveyors 2830 - 12 Avenue North, Lethbridge, Alberta</small>		
NO.	REVISION	DATE	BY	TENTATIVE PLAN SHOWING SUBDIVISION of N.E. 1/4 SEC. 16, TWP. 9, RGE. 1, W. 5M. M.O. of Pincher Creek No. 9			
NOTE : Portion to be approved is outlined thus ----- and contains approximately 29.74 ha. Distances are in metres and decimal parts thereof. Distances and areas are approximate and are subject to change upon final survey.					APPROVED	DRAWN MJ	DATE JUNE 11/21
						CHECKED ZJP	JOB 21-15232
					Z.J. Prosper, A.L.S.	SCALE 1:5000	DRAWING 21-15232TA



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

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

DRAFT RESOLUTION

Our File: 2021-0-129

July 20, 2021

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

Dear Mr. MacCulloch,

RE: SE1/4 16-9-1-W5M / M.D. of Pincher Creek No. 9

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

The Subdivision Authority should note that comments have not been received from the Livingstone Range School Division, AltaLink, AB Environment & Parks - J. Wu, AB Environment Operations Infrastructure Branch (OIB), AB Water Boundaries, Historical Resources Administrator and AER.

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

Please contact this office if you require any further information.

Gavin Scott
Senior Planner

GS/jm
Attachment

RESOLUTION

2021-0-129

M.D. of Pincher Creek No. 9 Agricultural subdivision of SE1/4 16-9-1-W5M

THAT the Agricultural subdivision of SE1/4 16-9-1-W5M (Certificate of Title No. 031 080 073), to create a 15.81 acre (6.40 ha) parcel from a previously unsubdivided quarter section of 153.15 acres (61.97 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 and comply with a Development Agreement with the M.D. of Pincher Creek No. 9 which shall be registered concurrently with the final plan against the title(s) being created.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. The proposed subdivision complies with the M.D. of Pincher Creek subdivision policy R.15.
4. The subdivision authority, in considering the written submission from John Garden, finds that the concerns are outside the parameters of the subdivision policies pertaining to the proposal.

INFORMATIVE:

- (a) Since the proposed subdivision complies with Section 663(a) of the Municipal Government Act, Reserve is not required.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) The subject property is located within an area identified by the province as having potential historical resources (HRV5). Per the Land Use Procedures Bulletin Subdivision Historical Resources Act Compliance, a historical resource clearance is not required for a first parcel out of a quarter section that is designated HRV5.
- (e) Telus Communications Inc has no objection.
- (f) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta. FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services. Please contact FortisAlberta land services at landserv@fortisalberta.com or by calling (403) 514-4783 for any questions.

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

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

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

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

(h) Alberta Health Services does not objection to this subdivision.

(i) Alberta Environment & Parks Public Lands has no concerns.

(j) Canada Post has no comment.

(k) Comments from John Garden:

“My objection to subdivision of Mark Burles land is that those lots will no longer be agricultural as stated in Proposed Use but instead will be recreational or residential plots for acreage owners.

My second objection is that even prior to approval of subdivision the real estate agent said he has had offers on Lot 2 of Block 1 even before subdivision is approved and he has been actively showing the lots - I don't think that is quite right at all!

No one in this area is happy with this development and if Mark Burles had approached his neighbours in the first place I am sure he would have had purchase offers that would have satisfied his needs!

Sad indeed is the continual development of agricultural land in this MD.”

CHAIRMAN

DATE

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: June 28, 2021

Date of Receipt: June 18, 2021


Date of Completeness: June 21, 2021

TO: **Landowner:** Mark Burles

Agent or Surveyor: Zachary J. Prosper, A.L.S.

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

Adjacent Landowners: Edward Hewitt, Gary & Barbara Lewis, John Garden & Karen Campbell, Max & Brenda Muselius, Olin Creek Ranch Ltd., Trevor and Colleen Moore, Zachary & Candace Lewis

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 **July 19, 2021**. (Please quote our File No. 2021-0-129 in any correspondence with this office).

File No.: 2021-0-129

Legal Description: SE1/4 16-9-1-W5M

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

Land Designation: Agriculture – A
(Zoning)

Existing Use: Agricultural

Proposed Use: Agricultural

of Lots Created: 1

Certificate of Title: 031 080 073

Meeting Date: August 3, 2021

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 15.81 acre (6.40 ha) parcel from a previously unsubdivided quarter section of 153.15 acres (61.97 ha) for agricultural use.

The proposal is to accommodate the subdivision of parcel fragmented by an MD roadway. Access to the lot is presently granted from an existing approach to the west, 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 surveyor's 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:

- 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.



FOR OFFICE USE ONLY	
Zoning (as classified under the Land Use Bylaw):	
Fee Submitted: \$1040.00	File No: 2021-0-129
APPLICATION SUBMISSION	
Date of Receipt: June 18, 2021	Received By: <i>[Signature]</i>
Date Deemed Complete: June 21, 2021	Accepted By: <i>[Signature]</i>

APPLICATION FOR SUBDIVISION RURAL MUNICIPALITY

1. CONTACT INFORMATION

Name of Registered Owner of Land to be Subdivided: Mark S Burles

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

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

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

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

2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

a. All/part of the SE ¼ Section 16 Township 9 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: 59.85 hectares 147.89 acres

d. Total number of lots to be created: 1 Size of Lot(s): 6.40 hectares (15.81 acres)

e. Rural Address (if applicable): _____

f. Certificate of Title No.(s): 031 080 073

3. LOCATION OF LAND TO BE SUBDIVIDED

a. The land is located in the municipality of Municipal District of Pincher Creek No 9

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

c. Is the land situated within 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 farmland
- b. Proposed use of the land separate quarter into parcels segregated by existing roadway

5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED

- a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) rolling
- b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.) grass
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) unknown
- d. Is this a vacant parcel (void of any buildings or structures)? Yes No
If "no", describe all buildings and any structures on the land. Indicate whether any are to be demolished or moved.
- 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 None

7. SEWER SERVICES

- a. Describe existing sewage disposal: Type None Year Installed _____
- b. Describe proposed sewage disposal: Type None

8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF

I, Zachary J. Prosper, ALS (boa file:21-15232) hereby certify that

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

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

Signed:  Date: June 15/21

9. RIGHT OF ENTRY

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


Signature of Registered Owner(s)

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



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0020 811 378 5;1;9;16;SE 031 080 073

LEGAL DESCRIPTION

MERIDIAN 5 RANGE 1 TOWNSHIP 9
SECTION 16
QUARTER SOUTH EAST
CONTAINING 160 ACRES MORE OR LESS
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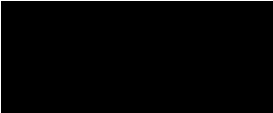
ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

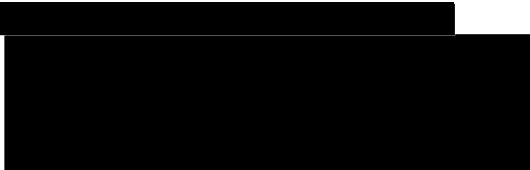
REFERENCE NUMBER: 133N113

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
031 080 073	11/03/2003	TRANSFER OF LAND		SEE INSTRUMENT

OWNERS

MARK SINGLETON BURLES


ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
841 043 622	13/03/1984	CAVEAT 

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
031 080 073

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

[REDACTED]
841 135 693 10/08/1984 UTILITY RIGHT OF WAY
GRANTEE - CHIEF MOUNTAIN GAS CO-OP LTD.
BOX 38
CARDSTON
ALBERTA T0K0K0
(DATA UPDATED BY: CHANGE OF NAME 021073399)

121 324 583 11/12/2012 CAVEAT
RE : UTILITY RIGHT OF WAY
CAVEATOR - FORTISALBERTA INC.
320-17 AVE SW
CALGARY
ALBERTA T2S2V1
AGENT - ROB GUNN

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 10 DAY OF JUNE,
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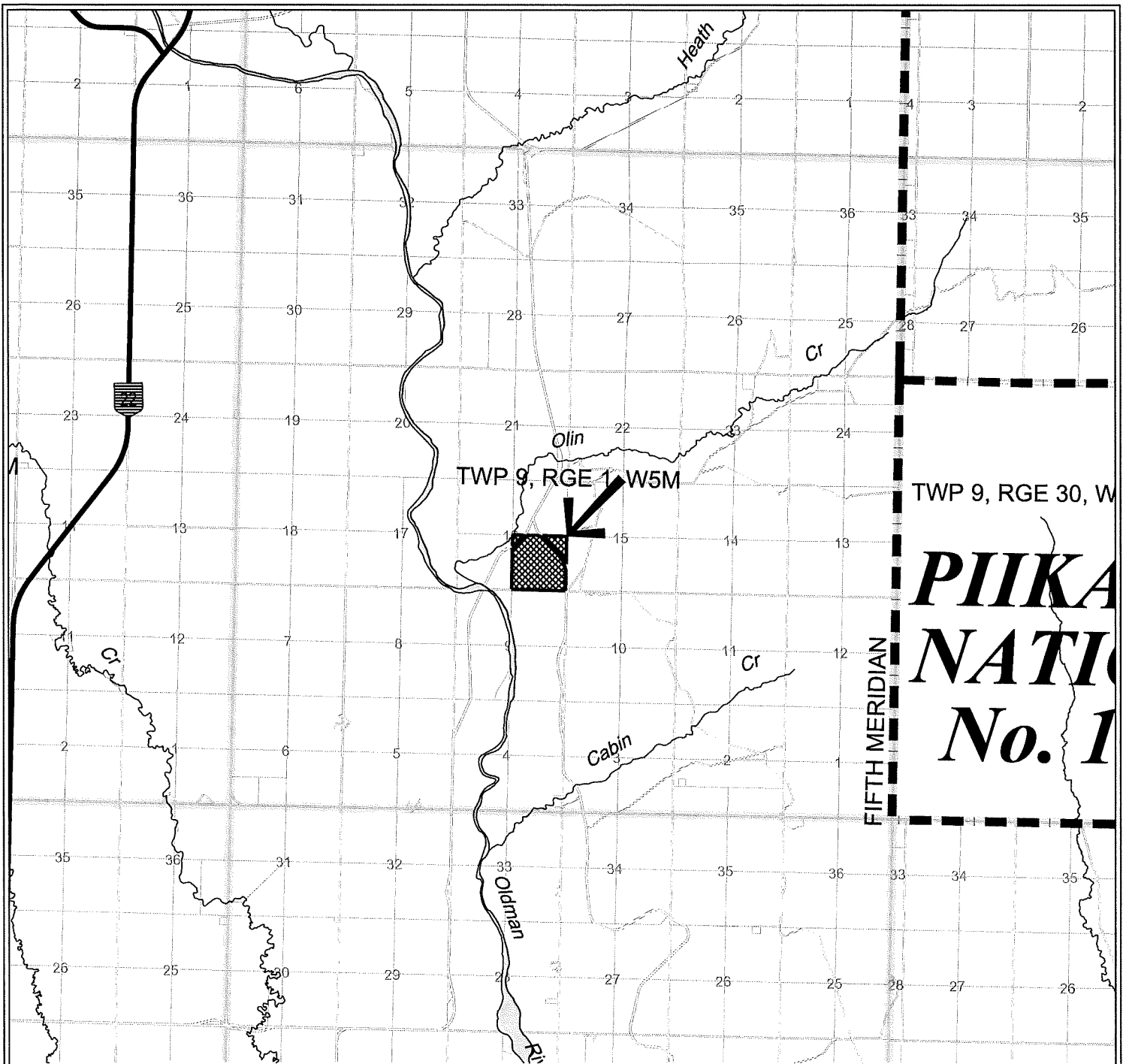
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END OF CERTIFICATE

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OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



SUBDIVISION LOCATION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 21-15232TB

WITHIN SE 1/4 SEC 16, TWP 9, RGE 1, W 5 M

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

DATE: JUNE 21, 2021

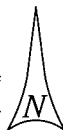
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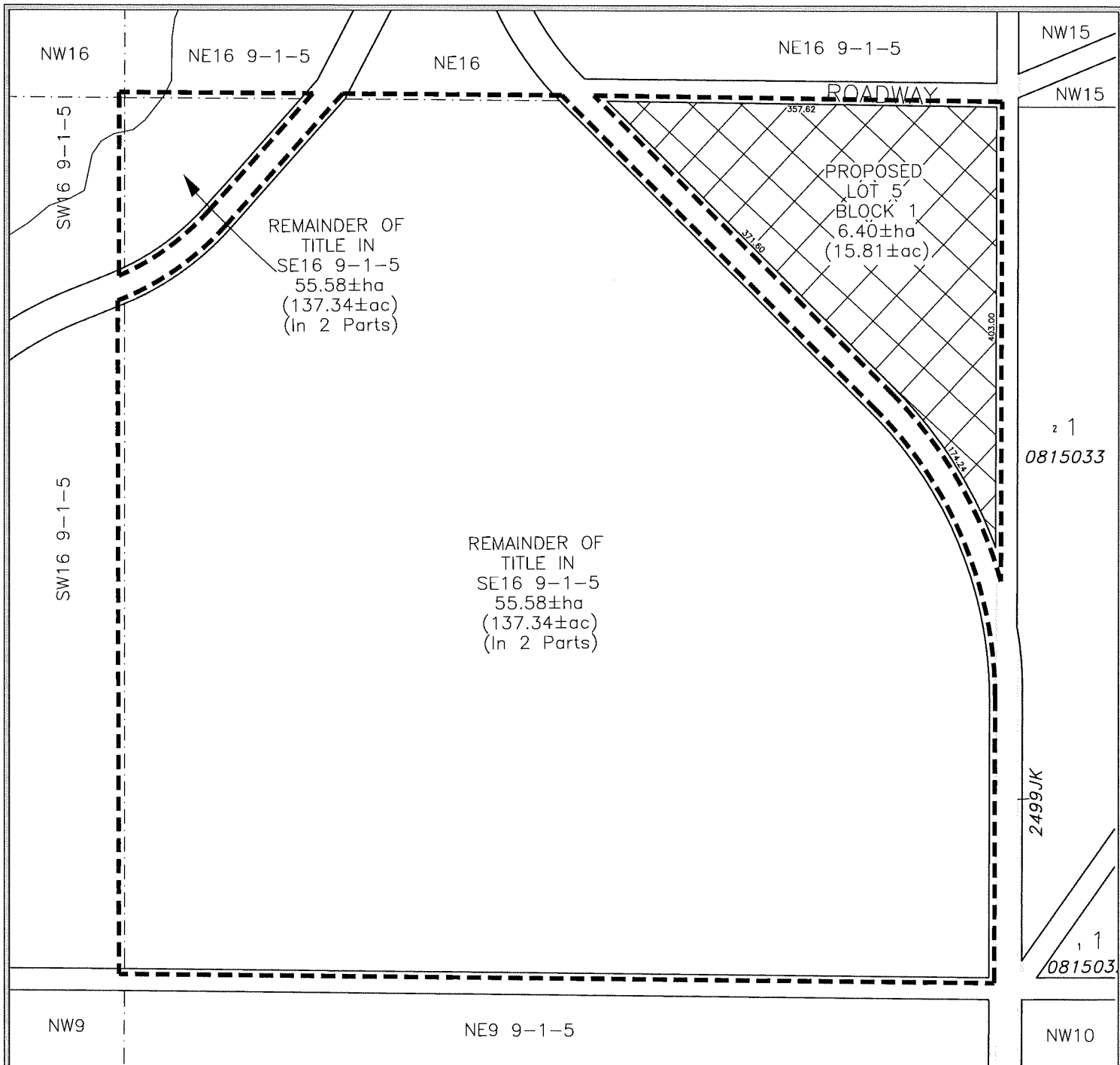
MAP PREPARED BY:
 OLDMAN RIVER REGIONAL SERVICES COMMISSION
 3108 166 AVENUE NORTH, EDMONTON, AB T1H 5G9
 NOT RESPONSIBLE FOR ERRORS OR OMISSIONS



OLDMAN RIVER REGIONAL SERVICES COMMISSION

June 21, 2021 N:\Subdivision\2021\2021-0-129.dwg





SUBDIVISION SKETCH

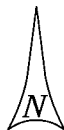
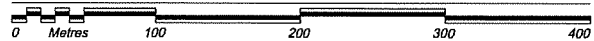
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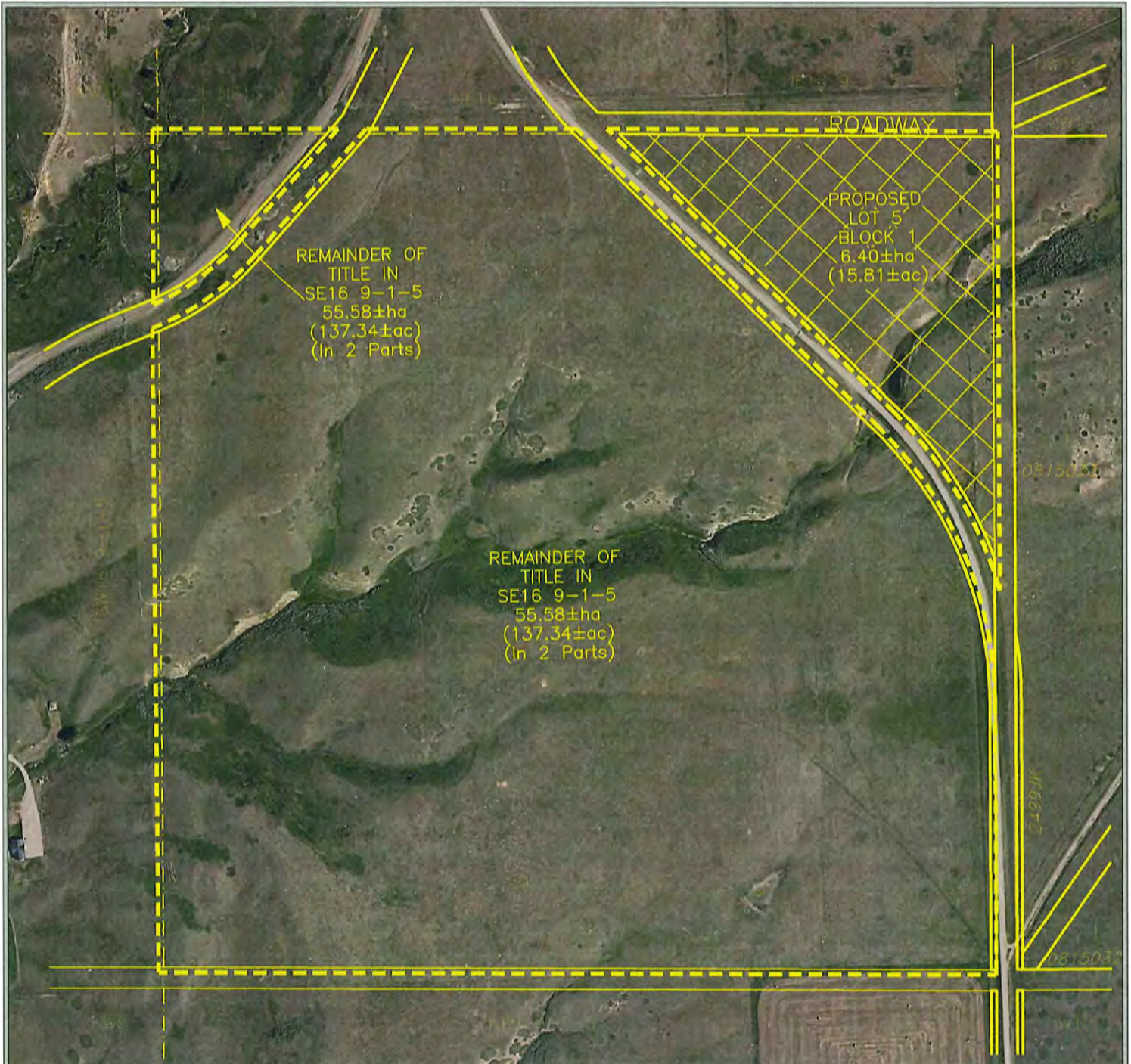
WITHIN SE 1/4 SEC 16, TWP 9, RGE 1, W 5 M

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

DATE: JUNE 21, 2021

FILE No: 2021-0-129





SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 21-15232TB

WITHIN SE 1/4 SEC 16, TWP 9, RGE 1, W 5 M

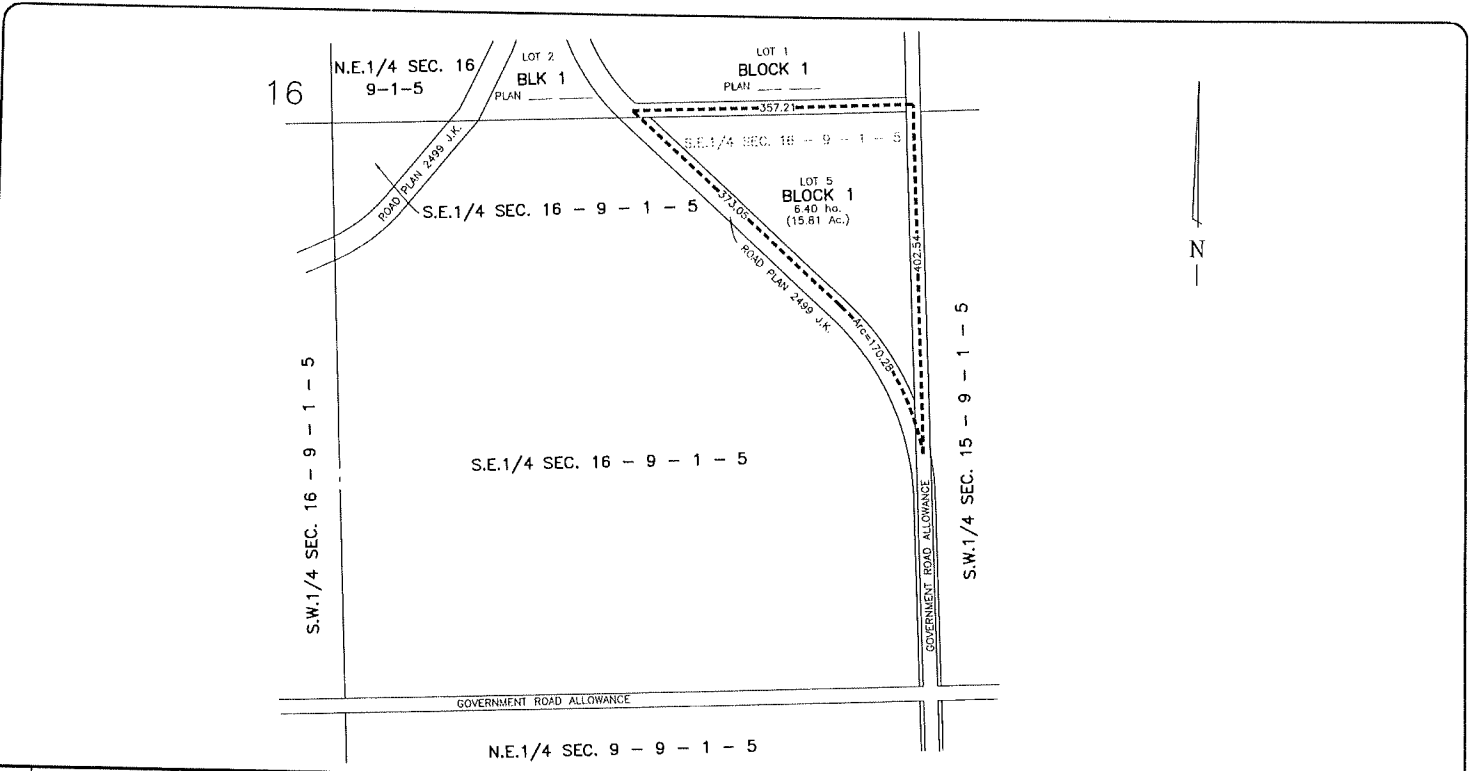
MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9

DATE: JUNE 21, 2021

FILE No: 2021-0-129



AERIAL PHOTO DATE: 2018



NO.	REVISION	DATE	BY

NOTE : Portion to be approved is outlined thus ----- and contains approximately 6.40 ha. Distances are in metres and decimal parts thereof. Distances and areas are approximate and are subject to change upon final survey.

MARK BURLES

TENTATIVE PLAN SHOWING SUBDIVISION
of
S.E.1/4 SEC. 16, TWP. 9, RGE. 1, W.5M.

M.D. of Pincher Creek No.9

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

APPROVED	DRAWN MJ	DATE JUNE 11/21
	CHECKED ZJP	JOB 21-15232
Z.J. Prosper, A.L.S.	SCALE 1:5000	DRAWING 21-15232TB

DRAFT RESOLUTION

Our File: 2021-0-130

July 20, 2021

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

Dear Mr. MacCulloch,

RE: Lots 5-10, Block 15, Plan 7850AL within SW1/4 10-6-2-W5M / M.D. of Pincher Creek No. 9

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

The Subdivision Authority should note that comments have not been received from the Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, TELUS, AB Environment & Parks - J. Wu and AER.

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

Please contact this office if you require any further information.



Gavin Scott
Senior Planner

GS/jm
Attachment

RESOLUTION

2021-0-130

M.D. of Pincher Creek No. 9 Residential subdivision of Lots 5-10, Block 15, Plan 7850AL within SW1/4 10-6-2-W5M

THAT the Residential subdivision of Lots 5-10, Block 15, Plan 7850AL within SW1/4 10-6-2-W5M (Certificate of Title No. 781 154 503), to create a 0.14 acre (0.06 ha) parcel from a title of 0.42 acres (0.16 ha) for 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 and comply with 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 existing Lots 9-10 Block 15 Plan 7850AL be consolidated in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.
4. That existing Lots 5-8 Block 15 Plan 7850AL be consolidated in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.

INFORMATIVE:

- (a) Since the proposed subdivision complies with Section 663(c) 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) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

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

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

- (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.

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

"Reference your file to create a parcel for 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, this is an urban area and access to the highway will remain to be consistent with the existing access management strategy for this stretch of highway. Given this, strictly from Alberta Transportation's point of view, we do not anticipate that the creation of the 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 also be advised that any development within the highway right-of-way or within 300 metres beyond the limit of a controlled highway or within 800 metres from the center point of an intersection of the highway and another highway would require the benefit of a permit from our department. This requirement is outlined in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

The subject property is within the noted control lines and as such any development would require the benefit of a permit from Alberta Transportation. To ensure that any future highway expansion plans are not unduly compromised, minimum setbacks would be identified and invoked as condition of approval such that an adequate buffer would be maintained alongside the highway and any other highway related issues could be appropriately addressed. The applicant could contact Alberta Transportation through the undersigned, at Lethbridge 403/382-4052, in this regard.

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

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

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

(h) Historical Resources – Barry Newton, Land Use Planner:

"We have reviewed the captioned subdivision application and determined that in this instance formal *Historical Resources Act* approval is not necessary, and submission of a Historic Resources application is not required."

(i) Canada Post has no comment.

(j) Comments from Bert Nyrose:

"No concerns regarding the subdivision application . However it should be noted that the well house identified as on the property is partially located on a closed 20 foot lane . This closed lane could also be identified on the plans for clarity as the yellow outline of the hamlet boundary obscures its location and relevance to the site."

CHAIRMAN

DATE

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: June 28, 2021

Date of Receipt:

June 18, 2021

Date of Completeness:

June 21, 2021

TO: Landowner: Kenneth W Fast and Sharon A Fast

Agent or Surveyor:

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

Adjacent Landowners: Marilyn & Bert Nyrose, Richard & Gail Bernstein, MD of Pincher Creek, Kurt Weissenborn, Peter Sherrington, Allan & Edna Layton

Planning Advisor: Gavin Scott *GS*

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 **July 19, 2021**. (Please quote our File No. 2021-0-130 in any correspondence with this office).

File No.: 2021-0-130

Legal Description: Lots 5-10, Block 15, Plan 7850AL within SW1/4 10-6-2-W5M

Municipality: M.D. of Pincher Creek No. 9 – Hamlet of Beaver Mines

Land Designation: Hamlet Single-detached Residential – HR-1
(Zoning)

Existing Use: Residential

Proposed Use: Residential

of Lots Created: 1

Certificate of Title: 781 154 503

Meeting Date: August 3, 2021

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 0.14 acre (0.06 ha) parcel from a title of 0.42 acres (0.16 ha) for residential use.

The proposal is to accommodate the subdivision of an existing residential property, which presently contains two dwellings, and a well house. Access to the lot is presently granted from an existing approach to the south, off of Highway 774. The existing residences are serviced by a septic system and on-site domestic well. The newly created lot will be required to be serviced by the municipal water and sewer system.

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 surveyor's sketch to illustrate lot dimensions and improvements on site.
4. Consideration of adjacent landowners and referral agencies comments.
5. That any easement(s) as required by utility companies, or the municipality shall be established prior to finalization of the application.
6. That any conditions of Alberta Transportation shall be established prior to finalization of the application.
7. That existing lots 9-10 be consolidated in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.
8. That existing lots 5-8 be consolidated in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.
9. That, any conditions of Alberta Culture, Multiculturalism and Status of Women, Historic Resources, shall be met prior to finalization. That the applicant submit a copy of the Historical Resources Act approval prior to registration of the plan of subdivision.

RESERVE:

- Municipal Reserve is not applicable pursuant to Section 663(c) of the MGA, as the parcel is less than 2 acres in size.

PROCESSING NOTES: No further comment pending a site inspection.

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



**APPLICATION FOR SUBDIVISION
RURAL MUNICIPALITY**

FOR OFFICE USE ONLY	
Zoning (as classified under the Land Use Bylaw):	
Fee Submitted: \$1040.00	File No: 2021-0130
APPLICATION SUBMISSION	
Date of Receipt: June 18, 2021	Received By: [Signature]
Date Deemed Complete: June 21, 2021	Accepted By: [Signature]

1. CONTACT INFORMATION

Name of Registered Owner of Land to be Subdivided: KENNETH W. FAST & SHARON A. FAST

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

Postal Code: [Redacted] Telephone: [Redacted]

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: _____

Mailing Address: _____ City/Town: _____

Postal Code: _____ Telephone: _____ Cell: _____

Email: _____ Preferred Method of Correspondence: Email Mail

2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

- a. All/part of the SW ¼ Section 10 Township 6 Range 2 West of 5 Meridian (e.g. SE¼ 36-1-36-W4M)
- b. Being all/part of: Lot/Unit 5 TO 10 Block 15 Plan 7850AL
- c. Total area of existing parcel of land (to be subdivided) is: _____ hectares _____ acres 6,000 SQ FT
- d. Total number of lots to be created: 2 Size of Lot(s): LOTS 5 TO 8 AND LOTS 9 & 10
- e. Rural Address (if applicable): 5 TO 8 626 1ST AVE 9 & 10 622 1ST AVE
- f. Certificate of Title No.(s): 781 154 503

3. LOCATION OF LAND TO BE SUBDIVIDED

- a. The land is located in the municipality of PINCHER CREEK
- b. Is the land situated immediately adjacent to the municipal boundary? Yes No
If "yes", the adjoining municipality is _____
- c. Is the land situated within 1.6 kilometres (1 mile) of the right-of-way of a highway? Yes No
If "yes" the highway is No. 774
- 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 SINGLE FAMILY RESIDENCE
- b. Proposed use of the land SINGLE FAMILY RESIDENCE

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.)
ONE BLUE SPRUCE
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) SANDY
- 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.
SINGLE FAMILY RESIDENCE (TO REMAIN)
- 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 DEEP WELL
- b. Describe proposed source of potable water MUNICIPAL WATER SYSTEM

7. SEWER SERVICES

- a. Describe existing sewage disposal: Type SEPTIC TANK & FIELD Year Installed 1984
- b. Describe proposed sewage disposal: Type MUNICIPAL SEWAGE DISPOSAL SYSTEM

8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF

I KENNETH WILLIAM FAST 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: JUNE 17 / 21

9. RIGHT OF ENTRY

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

[Signature] Sharon Fast
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
0018 575 664 7850AL;15;5-10 781 154 503

LEGAL DESCRIPTION
PLAN 7850AL
BLOCK 15
LOTS 5 TO 10 INCLUSIVE
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;2;6;10;W

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
781 154 503	27/09/1978			

OWNERS
KENNETH W FAST (ELECTRICIAN)

AND
SHARON A FAST (HOUSEWIFE)



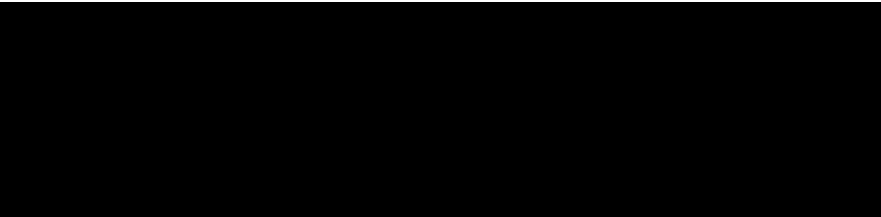
ENCUMBRANCES, LIENS & INTERESTS		
REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS
061 207 087	26/05/2006	

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
781 154 503

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

101 313 164 25/10/2010



TOTAL INSTRUMENTS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 18 DAY OF JUNE,
2021 AT 03:46 P.M.

ORDER NUMBER: 41966203

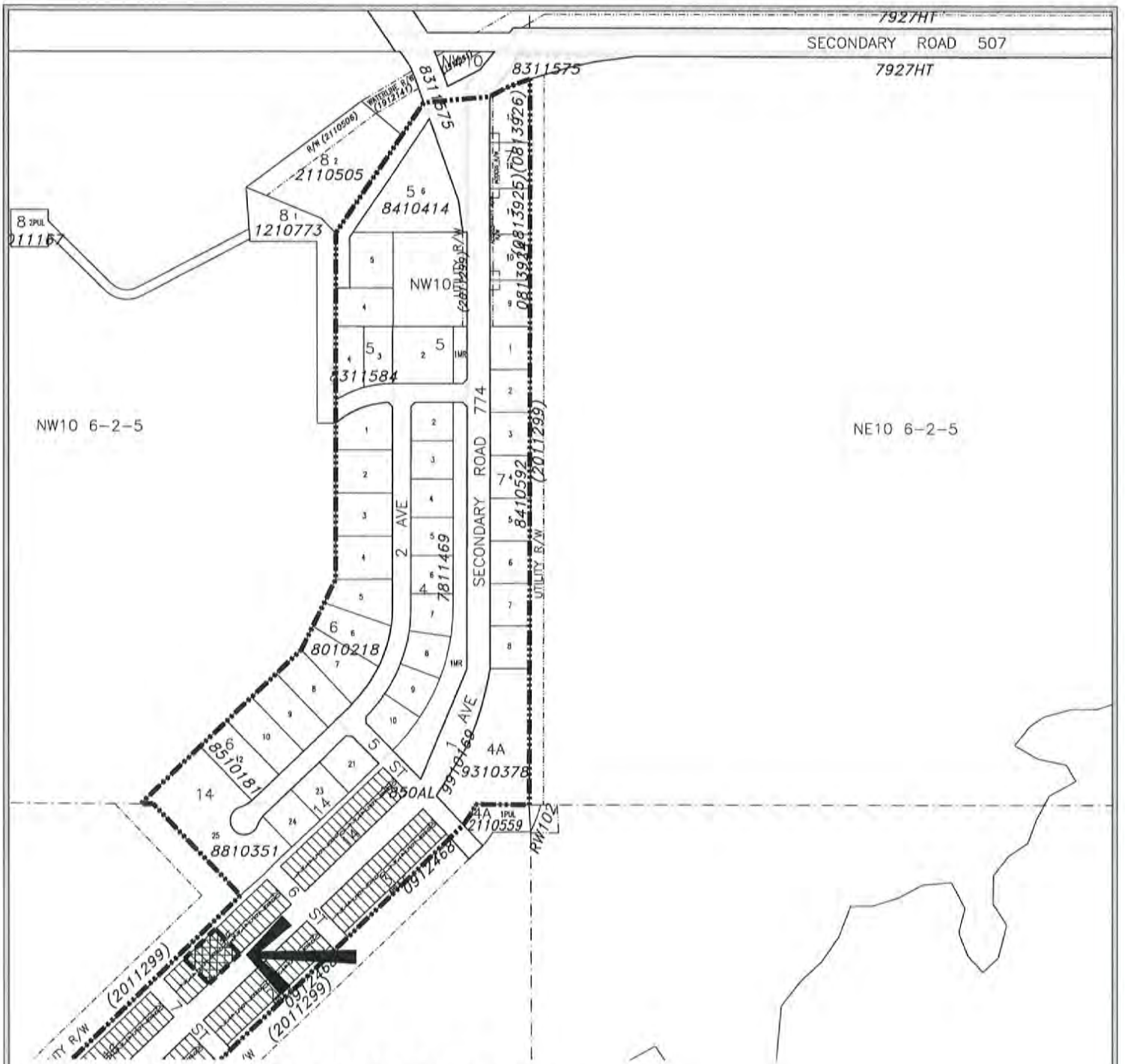
CUSTOMER FILE NUMBER:



END OF CERTIFICATE

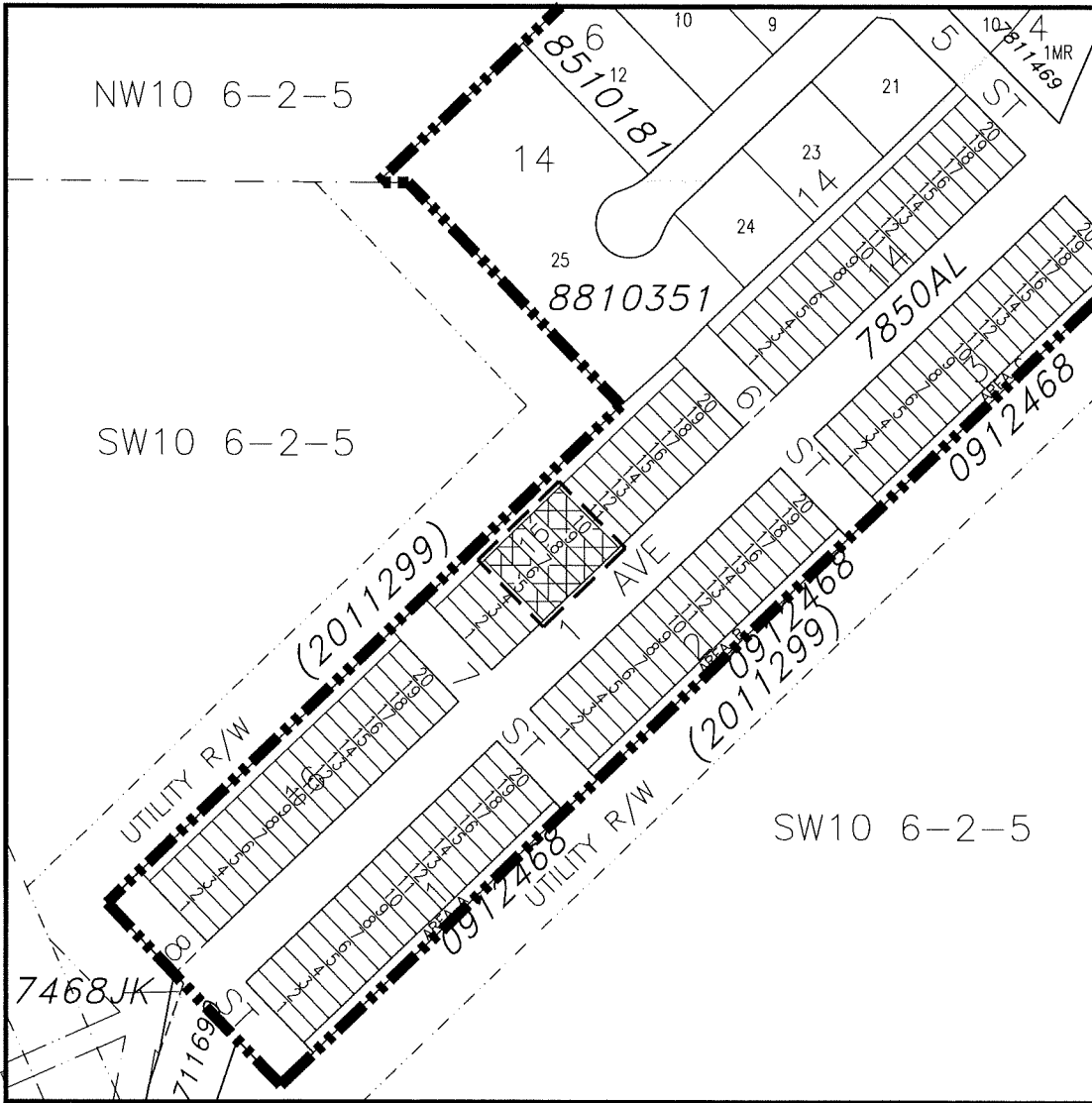
THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
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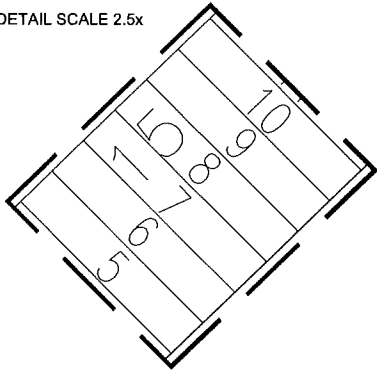


SUBDIVISION LOCATION SKETCH
LOTS 5-10, BLOCK 15, PLAN 7850AL WITHIN
SW 1/4 SEC 10, TWP 6, RGE 2, W 5 M
MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
(HAMLET OF BEAVER MINES)
DATE: JUNE 21, 2021
FILE: 2021-0-130

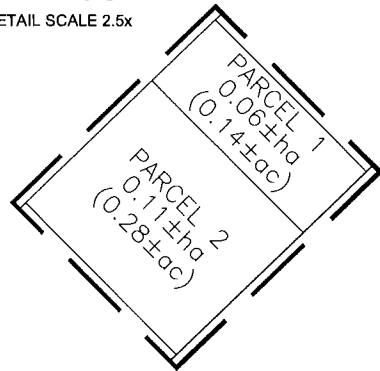




EXISTING
DETAIL SCALE 2.5x



PROPOSED
DETAIL SCALE 2.5x



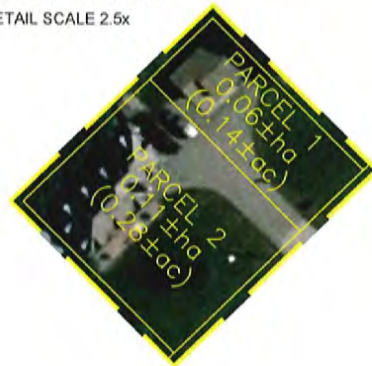
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 LOTS 5-10, BLOCK 15, PLAN 7850AL WITHIN
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 DATE: JUNE 21, 2021
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EXISTING
DETAIL SCALE 2.5x



PROPOSED
DETAIL SCALE 2.5x



SUBDIVISION SKETCH
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