

**Agenda**  
**Municipal District of Pincher Creek No. 9**  
**Subdivision Authority Meeting**  
**November 2, 2021**  
**6:00 pm**

**1. Adoption of Agenda**

**2. Adoption of Minutes**

- a. Minutes of October 5, 2021

**3. Closed Meeting Session**

**4. Unfinished Business**

None

**5. Subdivision Application**

- a. Subdivision Application No. 2021-0-167  
MD of Pincher Creek No. 9  
SW1/4 10-6-2 W5M
  
- b. Subdivision Application No. 2021-0-168  
Sandra Lea Kastelic  
SE1/4 32-4-28 W4M

**6. New Business**

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

**8. Adjournment**

**Meeting Minutes of the Subdivision Authority  
Tuesday, October 5, 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, Troy MacCulloch and Financial Services and Planning Clerk Joyce Mackenzie-Grieve

Planning Advisors: ORRSC, Senior Planner Gavin Scott

Absent:

**COMMENCEMENT**

Reeve Brian Hammond called the meeting to order, the time being 6:04 pm.

**1. ADOPTION OF AGENDA**

Councillor Bev Everts 21/061

Moved that the Subdivision Authority Agenda for October 5, 2021, be approved as presented.

Carried

**2. ADOPTION OF MINUTES**

Councillor Quentin Stevick 21/062

Moved that the September 7, 2021, Subdivision Authority Minutes, be approved as amended.

Carried

**3. CLOSED MEETING SESSION**

Councillor Bev Everts 21/063

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 6:06 pm.

Carried

**MINUTES**  
**SUBDIVISION AUTHORITY**  
**Municipal District of Pincher Creek No. 9**  
**October 5, 2021**

Councillor Terry Yagos

21/064

Moved that the Subdivision Authority open the meeting to the public, the time being 6:19 pm.

Carried

**4. UNFINISHED BUSINESS**

- a.** Subdivision Application No. 2021-0-141  
Rea Tarnava  
SW1/4 1-9-3-W5M

Councillor Terry Yagos

21/065

Moved THAT the Country Residential subdivision of SW1/4 1-9-3-W5M (Certificate of Title No. 201 192 380), to create a 6.94 acre (2.81 ha) parcel from 143.16 acres (57.9 ha) for country residential use; BE APPROVED subject to the following:

**RESERVE:**

The 10% reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on the 6.94 acres at the market value of \$3,200 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.

Carried

**5. SUBDIVISION APPLICATIONS**

Nil

**6. NEW BUSINESS**

Nil

**7. NEXT MEETING – Tuesday, November 2, 2021; 6:00 pm.**

MINUTES  
SUBDIVISION AUTHORITY  
Municipal District of Pincher Creek No. 9  
October 5, 2021

**8. ADJOURNMENT**

Councillor Bev Everts

21/066

Moved that the meeting adjourn, the time being 6:20 pm.

Carried

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Brian Hammond, Chair  
Subdivision Authority

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Roland Milligan, Secretary  
Subdivision Authority

DRAFT

## DRAFT RESOLUTION

Our File: 2021-0-167

October 21, 2021

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

Dear Mr. MacCulloch,

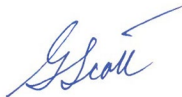
**RE: SW1/4 10-6-2-W5M / M.D. of Pincher Creek No. 9**

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 Health Services - South Zone, AB Environment & Parks - J. Cayford, AER, Nova Gas Transmission and Beaver Mines Community Association.

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

Please contact this office if you require any further information.



Gavin Scott  
Senior Planner

GS/jm  
Attachment

# RESOLUTION

2021-0-167

**M.D. of Pincher Creek No. 9 Public Utility** subdivision of SW1/4 10-6-2-W5M

THAT the Public Utility subdivision of SW1/4 10-6-2-W5M (Certificate of Title No. 211 066 627 +1), to create a 1.55 acre (0.63 ha) public utility lot from a title of 128.08 acres (51.8 ha) for public utility use; BE APPROVED subject to the following:

## RESERVE:

The 10% reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on the 1.55 acres at the market value of \$3,500 per acre with the actual acreage and amount to be paid to the MD of Pincher Creek be determined at the final stage, for Municipal Reserve Purposes.

## CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Pincher Creek No. 9.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into 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 final plan of survey label the subdivided lot as a Public Utility Lot (PUL).

## REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. That a waiver of the minimum lot size of 3 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.
4. The proposed subdivision complies with the M.D. of Pincher Creek subdivision policy 18.26.
5. The subdivision authority, in considering the written submissions from Bert Nyrose and Lyle Noble, finds that the concerns are focused on development approvals, and are therefore outside the parameters of the subdivision policies pertaining to the proposal.

## INFORMATIVE:

- (a) The payment of the applicable 10% Municipal Reserve on the 1.55 acres must be satisfied using Municipal District of Pincher Creek Policy 422. The MD assessor has provided a land value for the 1.55 acre (0.63 ha) being subdivided at \$3,500 per acre. Using the formula from Policy 422, the amount owing to satisfy Municipal Reserve is approximately \$542.50 with the actual amount to be determined at the finalization stage for Municipal Reserve purposes.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.

- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) 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 development of the site.
- (e) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

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

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

- (f) Please be advised that our existing/future gas line(s) on the subject property are protected by way of a Utility Right of Way Agreement, registered as Instrument(s) # 181 129 022.

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

- (g) ATCO Pipelines – Isabel Solis-Jarek, Sr. Administrative Coordinator:

“The Engineering Department of ATCO Transmission, (a division of ATCO Gas and Pipelines Ltd.) has reviewed the above named plan and has no objections subject to the following conditions:

1. Ground disturbances and surface works within 30 meters require prior written approval from ATCO Transmission before commencing any work.
  - Municipal circulation file number must be referenced; proposed works must be compliant with ATCO Transmission requirements as set forth in the company’s conditional approval letter.
  - Contact ATCO Transmission Land Department at 1-888-420-3464 or [landadmin@atco.com](mailto:landadmin@atco.com) for more information.
2. Any revisions or amendments to the proposed plans(s) must be re-circulated to ATCO Transmission for further review.

If you have any questions or concerns, please contact the undersigned at [hp.circulations@atco.com](mailto:hp.circulations@atco.com).”

(See Attachment)

- (h) 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.

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](http://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).”

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

“Reference your file to create a parcel for public utility 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 parcel to be created will gain indirect access to the provincial highway system solely by way of the local street system. Given this, strictly from Alberta Transportation’s point of view, we do not anticipate that the creation of the public utility parcel as proposed would have any appreciable impact on the highway.

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

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

The subject property is 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 issued Roadside Development Permit No. 6053-21 on September 16, 2021, to the Municipal District of Pincher Creek No. 9 for a proposed bulk water fill station.

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.”

(k) Comments from Bert Nyrose:

“Comments regarding the proposed subdivision of a site for a bulk water fill station ;

This location is not suitable for the use described for the following reasons ;

The ground is low , saturated , and will require extensive topsoil removal and huge backfill quantities to raise it to a suitable elevation plus entrance culverts to provide drainage . All of which will be excessively costly .



Added to the cost will be the need for approximately 275 M (900 ft. )of pipeline including boring under Hwy 774 with a carrier pipe .. Again costly .

In addition , the connection to the local road ( Grumpys ) and access onto 774 will be via a sharp curve on a steep grade . Not conducive to hauling water in trailer tanks or large trucks . Winter maintenance will be a constant requirement to prevent icing and provide traction . Again additional cost .

The approach onto Hwy 774 is substandard and a safety issue due to the oblique angle and connection to a superelevated curve . Additional traffic will add to the safety issues .

The reason for pointing out the excessive costs for this site is the fact that the municipality already has 2 sites that would serve the same purpose at much less cost and with less safety concerns .

The existing subdivision ( N.W 10 - 6-2-5 ) for the future firehall is in close proximity to the meter station , water line , power and 507/774 intersection . A waterfill station at this location would be by far much less expensive as the need to purchase land ,and easement , site preparation is nominal and minimal pipeline required .

Secondly, the Coalfields site could provide all the land needed with minimal disruption and adequate access to 507 . The only detraction is the need for a pipeline crossing of 507 and connection to the existing water line in the adjoining quarter .”

(I) Comments from Lyle Noble:

“In reference to File No. 2021-0-167 subdivision of land belonging to Lorna McRae...the following are my concerns. I do not have a problem with this proposition so long as it is exclusively used as a 'site for a bulk water fill station'. However, I strongly object should the intent for this site be to be used as a 'public RV fresh water and dump station' or as a 'collection point for garbage disposal' or 'storage of equipment'. Notably, this parcel of land is largely swamp - a very wet area throughout the year. Why are tax dollars even being spent on such a site when Beaver Mines will have water by next year?”

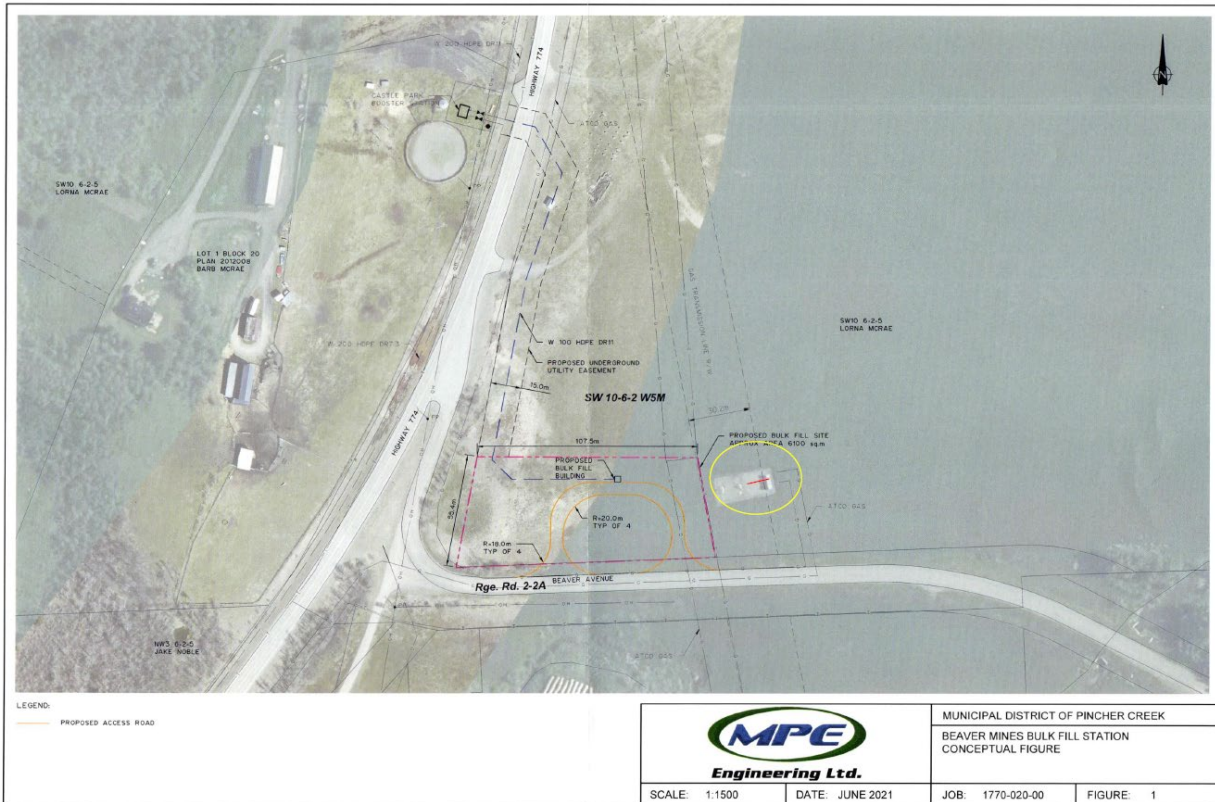
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CHAIRMAN

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DATE

# ATCO PIPELINES ATTACHMENT



## 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*<sup>1</sup> 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.<sup>2</sup>**

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<sup>1</sup> 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>.

<sup>2</sup> 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.<sup>3</sup> Development activities, including any land disturbance, may not proceed until *Historical Resources Act* approval has been obtained in writing.<sup>4</sup>
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.

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

<sup>4</sup> 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:** September 28, 2021


**Date of Receipt:** September 15, 2021

**Date of Completeness:** September 23, 2021

**TO: Landowner:** Lorna McRae  
**Agent:** M.D. of Pincher Creek No. 9  
**Surveyor:** Thomas C. Penner, A.L.S.

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

**Adjacent Landowners:** Allan & Edna Layton, Andrea Hlady & James Moller, Barbara McRae, Brent & Gloria Barbero, Clayton Mason, Clint Davis & Caitlin Kerr, Glenn & Joyce Morrison, Gregory & Barbara Hession, Heinrich & Karen Brunner, Jake Noble, Jalayne Noble, James Evans, Janet Samber, Karla Lee Guyn, Kenneth & Sharon Fast, Kristopher Larson, Kurt Weissenborn, Leslie Guyn, Lorraine Guyn, Lyle Noble, Marilyn & Bert Nyrose, Michael Kesler, Michael Morley, Peter Sherrington, Richard & Dianne Bernstein, Steven Guindon, Steven, Rhonda & Carter Oczkowski, Steven, Rhonda & Veronica Oczkowski, Susan White, Tyler Pereverziff & Breanne Bennett, William Stutt, Willy Peters

**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 **October 18, 2021**. (Please quote our File No. 2021-0-167 in any correspondence with this office).

**File No.:** 2021-0-167  
**Legal Description:** SW1/4 10-6-2-W5M  
**Municipality:** M.D. of Pincher Creek No. 9  
**Land Designation:** Agriculture – A  
(Zoning)  
**Existing Use:** Agricultural  
**Proposed Use:** Public Utility

**# of Lots Created:** 1  
**Certificate of Title:** 211 066 627 +1  
**Meeting Date:** November 2, 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 1.55 acre (0.63 ha) public utility lot from a title of 128.08 acres (51.8 ha) for public utility use.

The proposal is to accommodate the subdivision of a site for a bulk water fill station. Access to the lot is presently granted from an existing approach to the south, 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 Transportation shall be established prior to finalization of the application.
7. 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:**

- The payment of the applicable 10% Municipal Reserve on the 1.55 acres with the actual amount to be determined at the final stage for Municipal Reserve purposes.

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

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



**APPLICATION FOR SUBDIVISION  
RURAL MUNICIPALITY**

FOR OFFICE USE ONLY	
Zoning (as classified under the Land Use Bylaw):	
Fee Submitted: <u>Invoiced</u>	File No: <u>2021-0-167</u>
APPLICATION SUBMISSION	
Date of Receipt: <u>September 15, 2021</u>	Received By: <u>[Signature]</u>
Date Deemed Complete: <u>September 23, 2021</u>	Accepted By: <u>[Signature]</u>

**1. CONTACT INFORMATION**

Name of Registered Owner of Land to be Subdivided: Lorna McRae

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

Postal Code: [Redacted]

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

Name of Agent (Person Authorized to act on behalf of Registered Owner): M.D. of Pincher Creek No. 9

Mailing Address: Box 279 City/Town: Pincher Creek

Postal Code: T0K 1W0 Telephone: 1-403-627-3130 Cell: \_\_\_\_\_

Email: AdminDirDev@mdpincerceek.ab.ca Preferred Method of Correspondence: Email  Mail

Name of Surveyor: Brown Okamura and Associates

Mailing Address: 2830 12th Avenue NE City/Town: Lethbridge

Postal Code: T1H 5J9 Telephone: 1-403-329-4688 Cell: \_\_\_\_\_

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

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

a. All/part of the SW ¼ Section 10 Township 6 Range 2 West of 5 Meridian (e.g. SE¼ 36-1-36-W4M)

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

c. Total area of existing parcel of land (to be subdivided) is: 0.61 hectares 1.51 acres

d. Total number of lots to be created: 1 Size of Lot(s): \_\_\_\_\_

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

f. Certificate of Title No.(s): 211 066 627 + 1

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

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

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

c. Is the land situated within 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 Agriculture
- b. Proposed use of the land Public Utility

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

- a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) flat
- b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.)  
Grass, used as a hay field
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) LOAM
- d. Is this a vacant parcel (void of any buildings or structures)? Yes  No   
If "no", describe all buildings and any structures on the land. Indicate whether any are to be demolished or moved.
- 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 \_\_\_\_\_
- b. Describe proposed source of potable water \_\_\_\_\_

**7. SEWER SERVICES**

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

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

I, Troy MacCulloch 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: 2021/09/09

**9. RIGHT OF ENTRY**

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

[Signature]  
Signature of Registered Owner(s)

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  
0038 844 312                              5;2;6;10;SW                                      211 066 627 +1

LEGAL DESCRIPTION

MERIDIAN 5 RANGE 2 TOWNSHIP 6  
SECTION 10  
QUARTER SOUTH WEST  
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS  
EXCEPTING THOSE PORTIONS ON THE FOLLOWING PLANS:

PLAN	NUMBER	HECTARES	(ACRES)	MORE OR LESS
SUBDIVISION - BEAVER MINES	7850AL	5.36	(13.25)	
SUBDIVISION	8410908	0.971	( 2.40)	
ROAD	8711690	2.27	( 5.61)	
SUBDIVISION	2012008	4.05	(10.00)	
SUBDIVISION	2110559	0.268	( 0.66)	

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 201 218 706 +1

---

REGISTERED OWNER(S)

REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
211 066 627	30/03/2021	SUBDIVISION PLAN		

---

OWNERS

LORNA MAUREEN MCRAE  
OF 82 ROSSDALE WAY SE  
MEDICINE HAT  
ALBERTA T1B 1X8

---

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION	DATE (D/M/Y)	PARTICULARS
6966HT	10/02/1960	UTILITY RIGHT OF WAY

( CONTINUED )

-----  
ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

# 211 066 627 +1

REGISTRATION

NUMBER      DATE (D/M/Y)      PARTICULARS

-----

GRANTEE - THE ALBERTA GAS TRUNK LINE CO LTD.  
AS TO PORTION OR PLAN:3038IC

1375IR .      31/12/1962 CAVEAT  
CAVEATOR - CANADIAN WESTERN NATURAL GAS COMPANY  
LIMITED.

961 175 747    02/08/1996 CAVEAT  
RE : AMENDING AGREEMENT  
CAVEATOR - NOVA GAS TRANSMISSION LTD.  
801 SEVENTH AVE SW  
PO BOX 2535, STN M  
CALGARY  
ALBERTA T2P2N6  
AGENT - SHELLEY MUNDY

961 195 978    26/08/1996 CAVEAT  
RE : RIGHT OF WAY AGREEMENT  
CAVEATOR - NOVA GAS TRANSMISSION LTD.  
801-7 AVE SW, PO BOX 2535, STN M  
CALGARY  
ALBERTA T2P2N6  
AGENT - SHELLEY MUNDY

021 091 899    19/03/2002 CAVEAT  
RE : RIGHT OF WAY AGREEMENT  
CAVEATOR - NOVA GAS TRANSMISSION LTD.  
450-1 ST SW  
PO BOX 1000, STN M  
CALGARY  
ALBERTA T2P4K5  
AGENT - SHELLEY HENDERSON

181 129 022    20/06/2018 CAVEAT  
RE : UTILITY RIGHT OF WAY  
CAVEATOR - ATCO GAS AND PIPELINES LTD.  
909 11 AVE SW  
CALGARY  
ALBERTA T2R1L8

-----  
( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3

# 211 066 627 +1

REGISTRATION

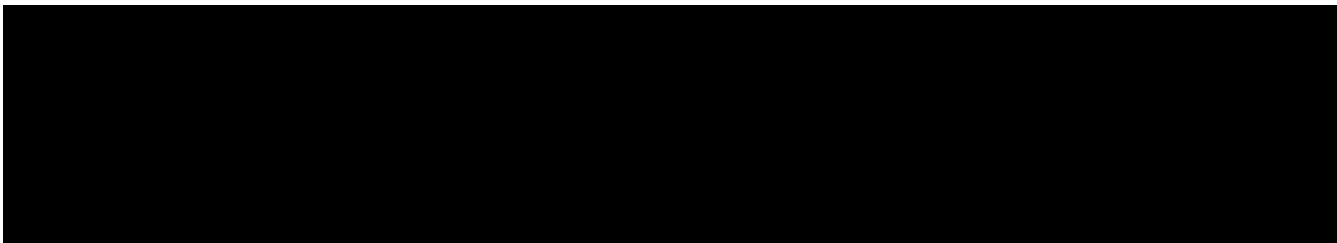
NUMBER DATE (D/M/Y) PARTICULARS



191 202 181 03/10/2019 CAVEAT  
RE : UTILITY RIGHT OF WAY  
CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK  
NO. 9.  
BOX 279, PINCHER CREEK  
ALBERTA T0K1W0  
AGENT - BRIDGE LAND & ENERGY SERVICES LTD.

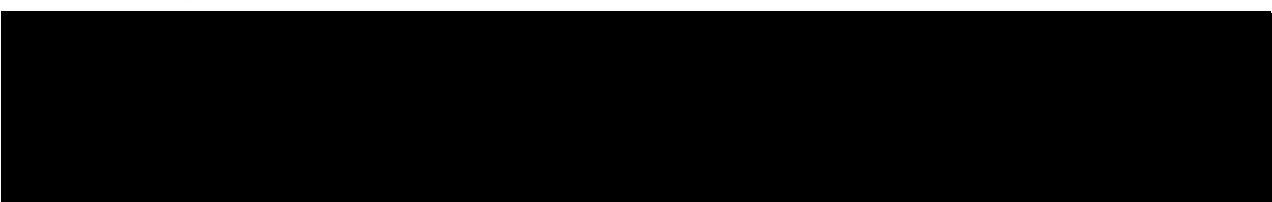
191 202 190 03/10/2019 CAVEAT  
RE : UTILITY RIGHT OF WAY  
CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK  
NO. 9.  
BOX 279, PINCHER CREEK  
ALBERTA T0K1W0  
AGENT - BRIDGE LAND & ENERGY SERVICES LTD.

191 202 192 03/10/2019 CAVEAT  
RE : UTILITY RIGHT OF WAY  
CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK  
NO. 9.  
BOX 279, PINCHER CREEK  
ALBERTA T0K1W0  
AGENT - BRIDGE LAND & ENERGY SERVICES LTD.



201 218 708 26/11/2020 EASEMENT  
AS TO PORTION OR PLAN:2012009  
OVER AND FOR BENEFIT OF: SEE INSTRUMENT

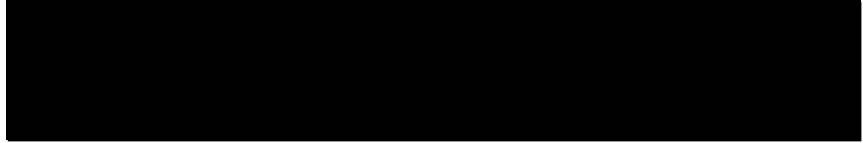
201 218 709 26/11/2020 EASEMENT  
AS TO PORTION OR PLAN:2012009  
OVER AND FOR BENEFIT OF: SEE INSTRUMENT



ENCUMBRANCES, LIENS & INTERESTS

PAGE 4  
# 211 066 627 +1

REGISTRATION  
NUMBER DATE (D/M/Y) PARTICULARS



TOTAL INSTRUMENTS: 015

PENDING REGISTRATION QUEUE

DRR NUMBER	RECEIVED DATE (D/M/Y)	CORPORATE LLP TRADENAME	LAND ID
C005MUZ	14/09/2021	MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9 403-627-3130 CUSTOMER FILE NUMBER: MCRAE LAND ACQUISITION	
001		CAVEAT	#211 066 627 +1

TOTAL PENDING REGISTRATIONS: 001

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 20 DAY OF SEPTEMBER, 2021 AT 04:12 P.M.

ORDER NUMBER: 42655252

CUSTOMER FILE NUMBER: BM Bulk H20

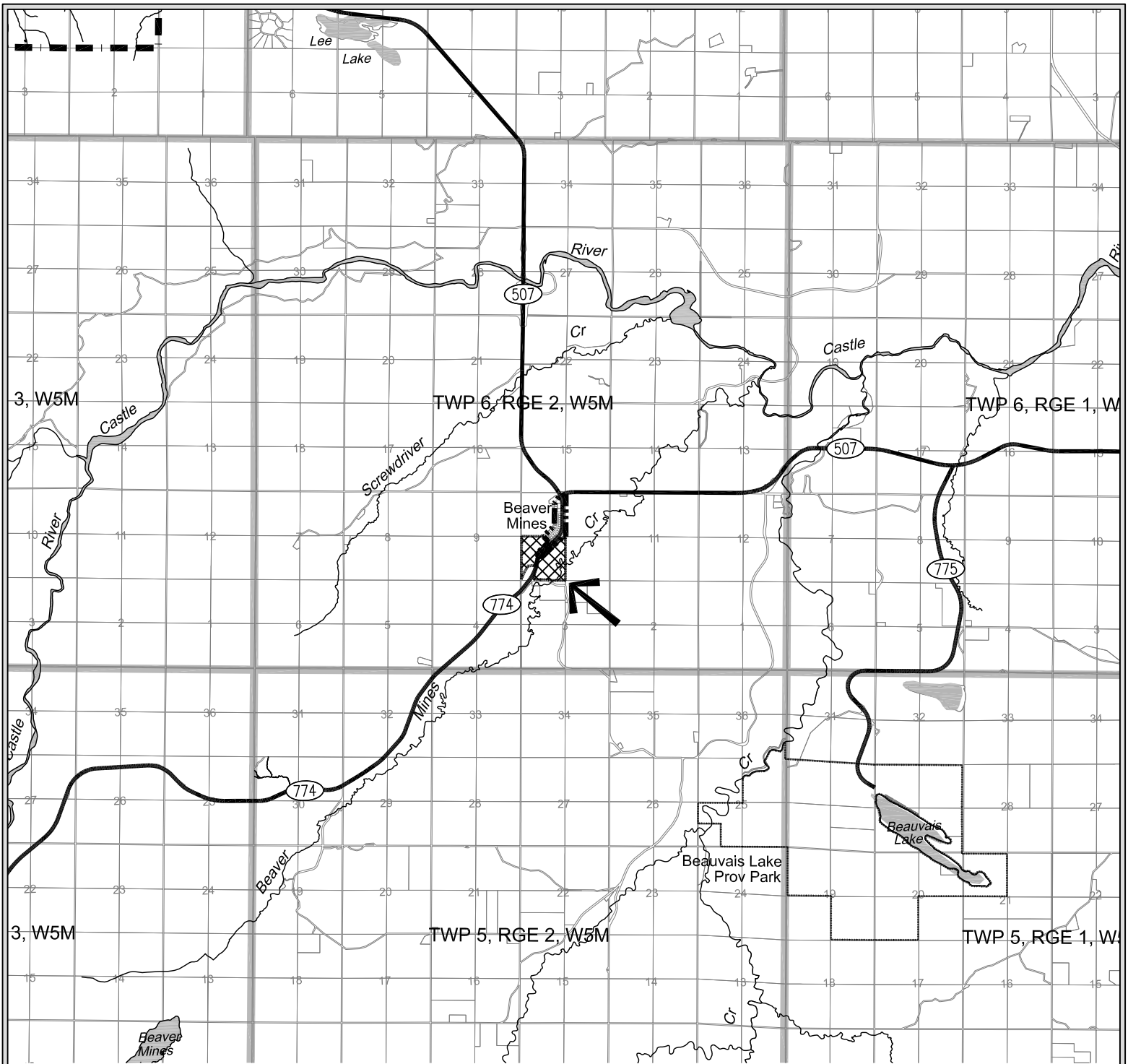


\*END OF CERTIFICATE\*

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).

IF MORE INFORMATION IS REQUIRED ON A PENDING REGISTRATION WHERE THE CONTACT INFORMATION DISPLAYS N/A PLEASE EMAIL LTO@GOV.AB.CA.



**SUBDIVISION LOCATION SKETCH**

**SW 1/4 SEC 10, TWP 6, RGE 2, W 5 M**

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

**DATE: SEPTEMBER 23, 2021**

**FILE No: 2021-0-167**

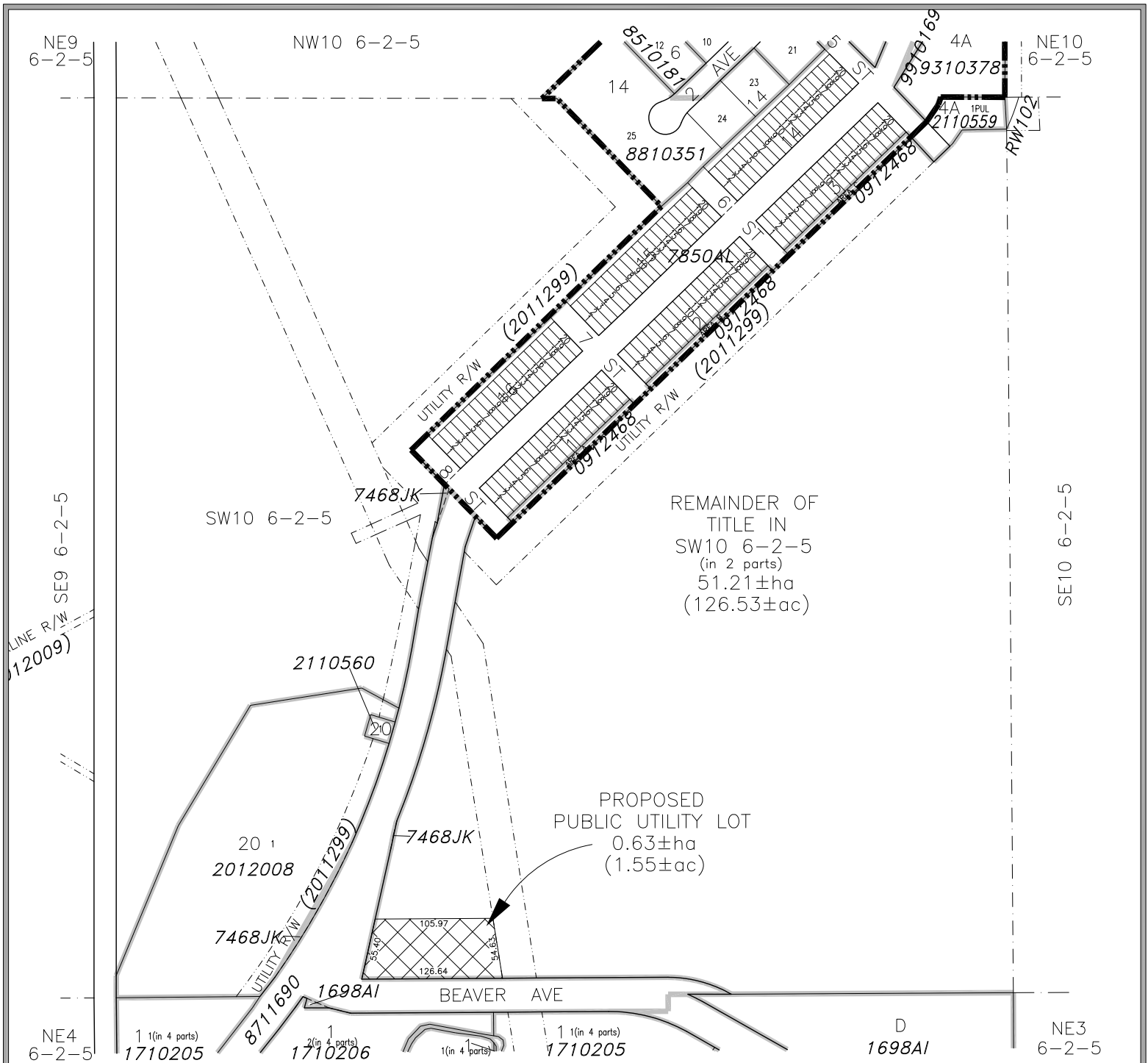
MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 3105 18th AVENUE NORTH, LETHBRIDGE, AB T1H 3E8  
 \*NOT RESPONSIBLE FOR ERRORS OR OMISSIONS\*



**OLDMAN RIVER REGIONAL SERVICES COMMISSION**

September 23, 2021 N:\Subdivision\2021\2021-0-167.dwg





**SUBDIVISION SKETCH**

**SW 1/4 SEC 10, TWP 6, RGE 2, W 5 M**

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

**DATE: SEPTEMBER 23, 2021**

**FILE No: 2021-0-167**





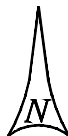
**SUBDIVISION SKETCH**

**SW 1/4 SEC 10, TWP 6, RGE 2, W 5 M**

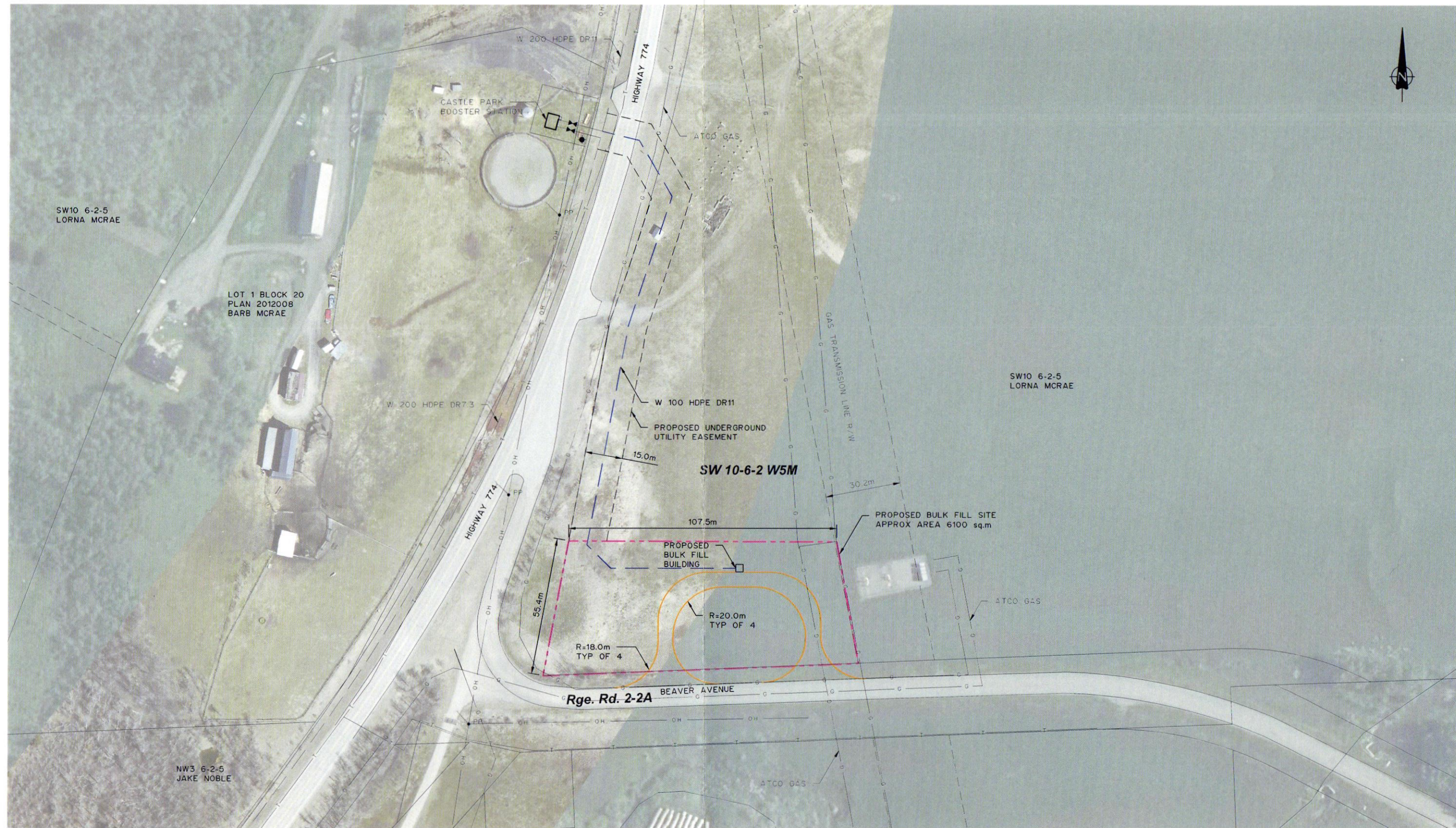
**MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9**

**DATE: SEPTEMBER 23, 2021**

**FILE No: 2021-0-167**







LEGEND:

— PROPOSED ACCESS ROAD



MUNICIPAL DISTRICT OF PINCHER CREEK

BEAVER MINES BULK FILL STATION  
CONCEPTUAL FIGURE

SCALE: 1:1500

DATE: JUNE 2021

JOB: 1770-020-00

FIGURE: 1

## DRAFT RESOLUTION

Our File: 2021-0-168

October 22, 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 32-4-28-W4M / M.D. of Pincher Creek No. 9**

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

The Subdivision Authority should note that comments have not been received from the Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, FortisAlberta, AB Health Services - South Zone, AB Environment & Parks - J. Cayford 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

2021-0-168

## **M.D. of Pincher Creek No. 9 Country Residential** subdivision of SE1/4 32-4-28-W4M

THAT the Country Residential subdivision of SE1/4 32-4-28-W4M (Certificate of Title No. 211 058 357 +1), to create a 5.63 acre (2.28 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 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 18.16.

### **INFORMATIVE:**

- (a) Since the proposed subdivision complies with Section 663(a) of the Municipal Government Act, Reserve is not required.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) Telus Communications Inc has no objection.
- (e) 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.”

(f) Canada Post has no comment.

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

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

The proposal is to create a single parcel of land from an unsubdivided quarter section to accommodate an existing residence and related improvements. As such, this application is in accordance with Section 14(b) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002, consolidated up to 188/2017 (“the regulation”).

Notwithstanding the foregoing, resultant of the fact that the remnant land does have direct access to Highway 505 this application is subject to the requirements of Section 15(2) of the regulation.

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

To that end, currently and as proposed the parcel to be created will gain indirect access to the highway solely by way of the local road system. Given this and that the remnant lands will remain to be an agricultural tract, strictly from Alberta Transportation’s point of view, we do not anticipate that the creation of the country residential/farmstead 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 Section 15(2).

Even though the waiver of Section 15(2) has been granted, the applicant is advised that no additional direct access to the highway will be allowed as a result of this application and that the existing direct accesses could remain on a temporary basis for limited agricultural use only.

Section 16 of the regulation only states that the requirements of Sections 14 and 15 may be varied. Although the waiver of Section 15(2) has been granted for this application, it has been granted under site specific circumstance (in accordance with Section 14(b), (indirect access by the local road system and the remnant lands will remain to be an agricultural tract) and it should not be construed that this variance would set precedent or be granted as a matter of course.

The applicant would also be advised that any development within the right-of-way or within 300 metres beyond the limit of the highway or within 800 metres from the centre point of the intersection of the highway and another highway would require the benefit of a permit from 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 the said permit. To ensure that any future highway expansion plans are not unduly compromised, minimum setbacks would be identified and stipulated as a condition of approval such that an adequate buffer would be maintained alongside the highway and any other highway related issues could be appropriately addressed. The applicant could contact 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.”

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(k) Canada Post has no comment.

\_\_\_\_\_  
MOVER

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_  
DATE

## NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

**DATE:** October 4, 2021  
2021


**Date of Receipt:** September 20, 2021  
**Date of Completeness:** September 23,

**TO: Landowner:** Sandra Lea Kastelic

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

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

**Adjacent Landowners:** Verna Mae Stewchuk, Dennis & Verna Shewchuk, Brent & Laura McGlynn, Keith, Carol, James & Kevin Fitzpatrick, Kevin M. Fitzpatrick, Kevin M & Tammy L Fitzpatrick

**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 **October 25, 2021**. (Please quote our File No. 2021-0-168 in any correspondence with this office).

**File No.:** 2021-0-168

**Legal Description:** SE1/4 32-4-28-W4M

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

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

**Existing Use:** Agricultural

**Proposed Use:** Country Residential

**# of Lots Created:** 1

**Certificate of Title:** 211 058 357 +1

**Meeting Date:** November 2, 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 5.63 acre (2.28 ha) parcel from a previously unsubdivided quarter section of 160 acres (64.7 ha) for country residential use.

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

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

1. Any outstanding property taxes shall be paid to the MD of Pincher Creek.
2. The applicant or owner or both enter into a Development Agreement with the MD.
3. Provision of a 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.

**RESERVE:**

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

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

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





**APPLICATION FOR SUBDIVISION  
RURAL MUNICIPALITY**

FOR OFFICE USE ONLY	
Zoning (as classified under the Land Use Bylaw):	
Fee Submitted: <u>\$1040.00</u>	File No: <u>2021-0-168</u>
APPLICATION SUBMISSION	
Date of Receipt: <u>September 20, 2021</u>	Received By: <u>[Signature]</u>
Date Deemed Complete: <u>September 23, 2021</u>	Accepted By: <u>[Signature]</u>

**1. CONTACT INFORMATION**

Name of Registered Owner of Land to be Subdivided: Sandra Lea Kastelic

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

Postal Code: [Redacted]

Email: [Redacted]  Email  Mail

Name of Agent (Person Authorized to act on behalf of Registered Owner): Zachary J Prosper

Mailing Address: See information provided below 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 32 Township 4 Range 28 West of 4 Meridian (e.g. SE¼ 36-1-36-W4M)

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

c. Total area of existing parcel of land (to be subdivided) is: 64.3 hectares 159 acres

d. Total number of lots to be created: 1 Size of Lot(s): 2.28 hectares (5.63 acres)

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

f. Certificate of Title No.(s): 211 058 357 +1

**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. 505

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 homestead and farmland
- b. Proposed use of the land subdivide homestead and access to homestead from remainder of farmland

**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.) mixed
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) unknown
- d. Is this a vacant parcel (void of any buildings or structures)? Yes  No   
If "no", describe all buildings and any structures on the land. Indicate whether any are to be demolished or moved.  
See Tentative Plan
- e. Is there a Confined Feeding Operation on the land or within 1.6 kilometres (1 mile) of the land being subdivided? Yes  No
- f. Are there any active oil or gas wells or pipelines on the land? Yes  No
- g. Are there any abandoned oil or gas wells or pipelines on the land? Yes  No

**6. WATER SERVICES**

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

**7. SEWER SERVICES**

- a. Describe existing sewage disposal: Type septic tank and field Year Installed unknown date
- b. Describe proposed sewage disposal: Type same

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

I, Zachary J. Prosper, ALS (boa file:21-15375) 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: September 17, 2021

**9. RIGHT OF ENTRY**

I, Sandra Kastelic 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.

Sandra Kastelic 16/09/21  
Signature of Registered Owner(s)



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0021 630 868            4;28;4;32;SE                      211 058 357 +1

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 28 TOWNSHIP 4  
SECTION 32  
QUARTER SOUTH EAST  
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS  
EXCEPTING THE ROAD WIDENING ON PLAN 4066IA  
CONTAINING 1 ACRE MORE OR LESS  
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 211 058 354 +2

-----  
REGISTERED OWNER(S)  
REGISTRATION      DATE (DMY)      DOCUMENT TYPE      VALUE      CONSIDERATION  
-----  
211 058 357      19/03/2021      TRANSFER OF LAND           SEE INSTRUMENT

OWNERS

SANDRA LEA KASTELIC  


-----  
ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION  
NUMBER      DATE (D/M/Y)      PARTICULARS  
-----  
771 158 542      09/11/1977      UTILITY RIGHT OF WAY  
GRANTEE - CHIEF MOUNTAIN GAS CO-OP LTD.  
BOX 38  
CARDSTON  
ALBERTA T0K0K0  
(DATA UPDATED BY: CHANGE OF NAME 021073421)

( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 211 058 357 +1

REGISTRATION  
NUMBER      DATE (D/M/Y)      PARTICULARS

TOTAL INSTRUMENTS: 001

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 17 DAY OF  
SEPTEMBER, 2021 AT 08:29 A.M.

ORDER NUMBER:    42634849

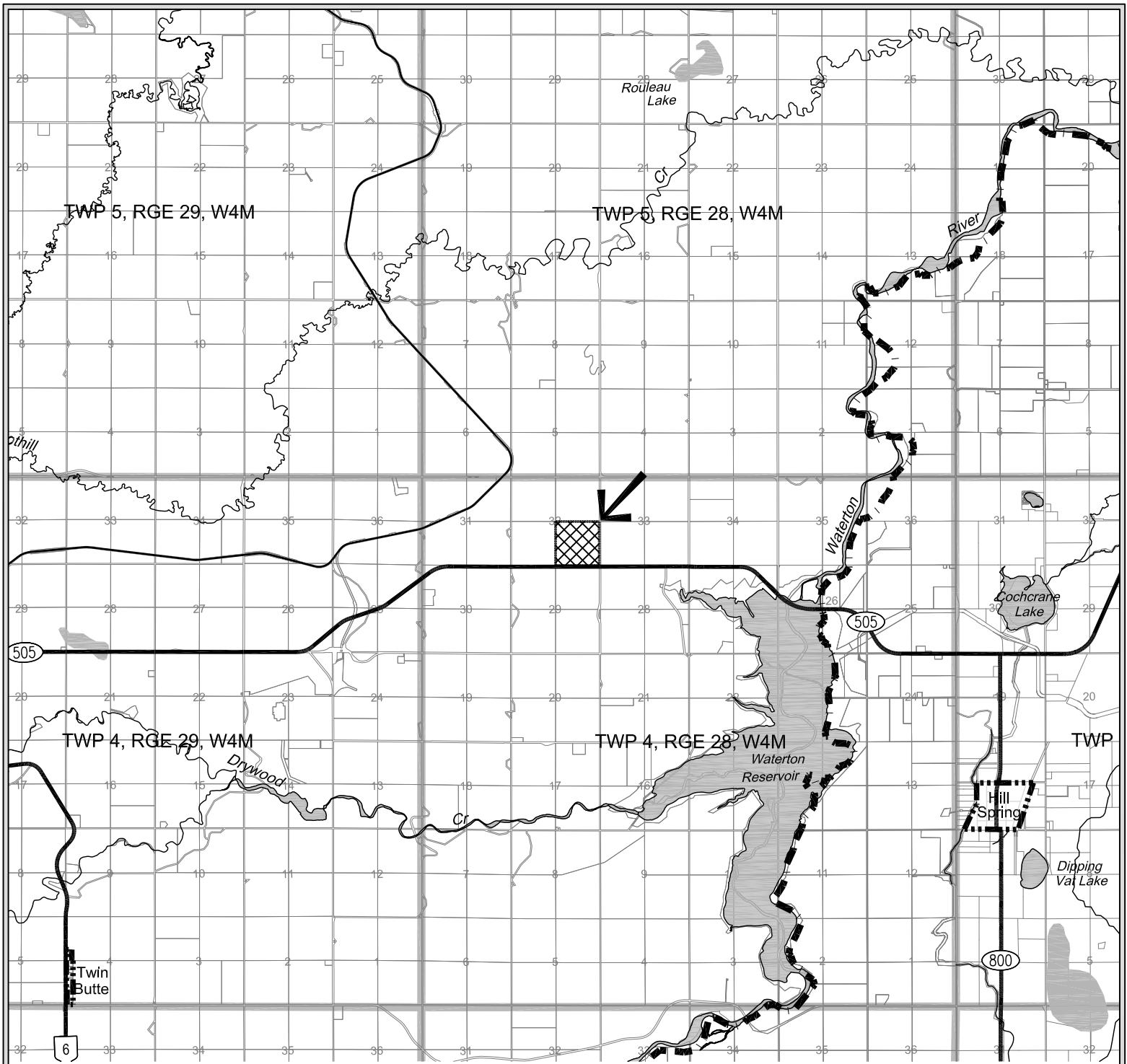
CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

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

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



**SUBDIVISION LOCATION SKETCH**

**SE 1/4 SEC 32, TWP 4, RGE 28, W 4 M**

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

**DATE: SEPTEMBER 23, 2021**

**FILE No: 2021-0-168**

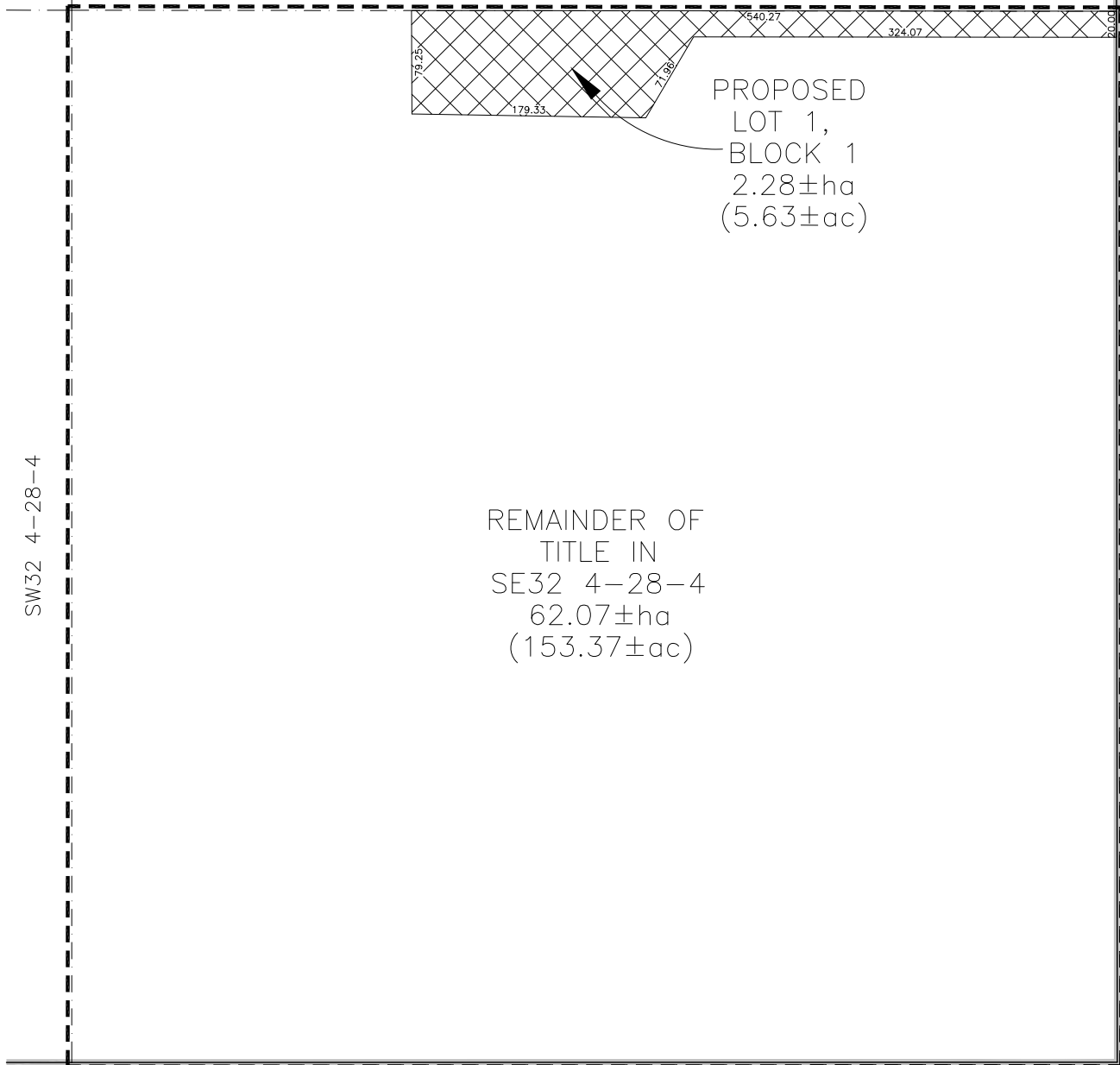
MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 3105 18th AVENUE NORTH, LETHBRIDGE, AB T1H 5E8  
 \*NOT RESPONSIBLE FOR ERRORS OR OMISSIONS\*



NW32

NE32 4-28-4

NW33



REMAINDER OF  
TITLE IN  
SE32 4-28-4  
62.07±ha  
(153.37±ac)

PROPOSED  
LOT 1,  
BLOCK 1  
2.28±ha  
(5.63±ac)

2929JK

SECONDARY ROAD 505

1529LK

NW29

NE29 4-28-4

NW28

### SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 21-15375T

SE 1/4 SEC 32, TWP 4, RGE 28, W 4 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: SEPTEMBER 23, 2021

FILE No: 2021-0-168





## SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 21-15375T

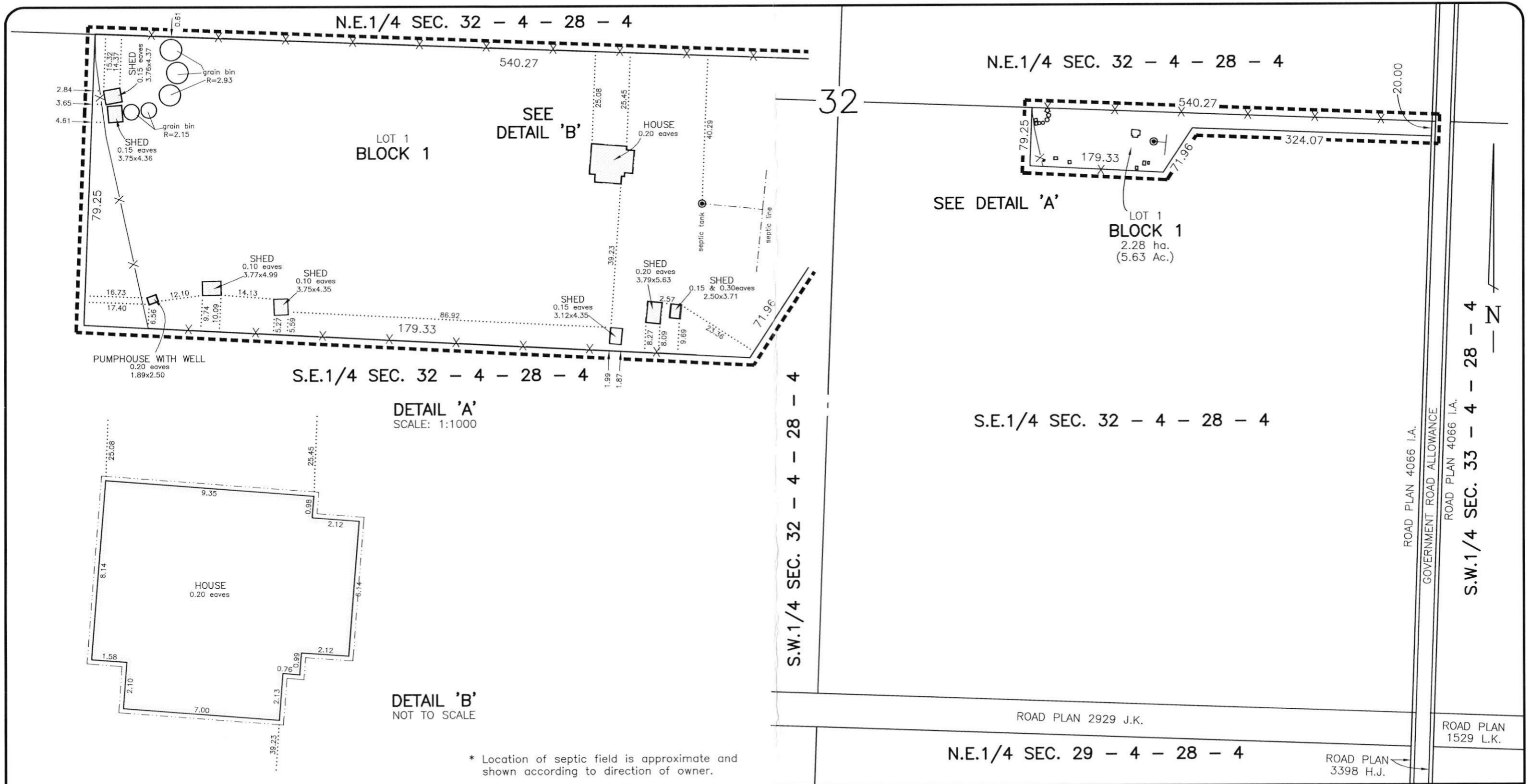
SE 1/4 SEC 32, TWP 4, RGE 28, W 4 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: SEPTEMBER 23, 2021

FILE No: 2021-0-168






\* Location of septic field is approximate and shown according to direction of owner.

NO.	REVISION	DATE	BY
	Improvements shown were surveyed on August 19th, 2021		
	NOTE : Portion to be approved is outlined thus <b>-----</b> and contains approximately 2.28 ha. Distances are in metres and decimal parts thereof.		
	Fence lines are shown thus <b>—X—X—</b> Distances and areas are approximate and are subject to change upon final survey.		

**SANDRA KASTELIC**

TENTATIVE PLAN SHOWING SUBDIVISION  
of part of  
S.E.1/4 SEC. 32; TWP. 4; RGE. 28; W.4 M.

MUNICIPAL DISTRICT OF PINCHER CREEK No. 9



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

APPROVED

DATE SEPT. 14/21

JOB 21-15375

DRAWING 21-15375T

Z. J. Prosper A.L.S.	DRAWN CJB CHECKED ZJP SCALE 1:5000	DATE SEPT. 14/21 JOB 21-15375 DRAWING 21-15375T
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