

**Meeting Minutes of the Subdivision Authority
Tuesday, September 3, 2019 6:00 pm
MD of Pincher Creek No. 9 Administration Building**

IN ATTENDANCE

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

Staff: CAO Troy MacCulloch, Director of Development and Community Services Roland Milligan, Assistant Planner Hailey Winder, Accounting Clerk Joyce Mackenzie-Grieve

Absent: Councillor Quentin Stevick

COMMENCEMENT

Reeve Brian Hammond called the meeting to order, the time being 6:00 p.m.

1. ADOPTION OF AGENDA

Councillor Terry Yagos 19/031

Moved that the Subdivision Authority Agenda for September 3, 2019, be approved as presented.

Carried

2. ADOPTION OF MINUTES

Councillor Bev Everts 19/032

Moved that the June 4, 2019, Subdivision Authority Minutes, be approved as presented.

Carried

3. CLOSED MEETING SESSION

Councillor Bev Everts 19/033

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

Carried

Councillor Terry Yagos 19/034

Moved that the Subdivision Authority open the meeting to the public, the time being 6:13 pm.

Carried

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4. UNFINISHED BUSINESS

Nil

5. SUBDIVISION APPLICATIONS

- a. Subdivision Application No. 2019-0-112
Leonard Mcglynn
SE1/4 28-5-28 W4M

Councillor Bev Everts

19/035

Moved that the Country Residential subdivision of SE1/4 28-5-28-W4M (Certificate of Title No. 191 138 928), to create a 9.8 acre (3.97ha) parcel from a previously unsubdivided quarter section of 160 acres (64.7 ha) for country residential use; BE APPROVED subject to the following:

RESERVE:

Pursuant to Sections 664 and 664.1 of the Municipal Government Act, that environment reserve be provided as a 10m environmental reserve easement along the banks of Foothill Creek within the proposed subdivision with the actual acreage to be dedicated being determined at the final stage, for Environmental Reserve purposes.

CONDITIONS:

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

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. That the municipality in having taken into account the Provincial document Stepping Back from the Water, and the Environmental Reference Manual for the Review of Subdivisions in Alberta has determined that a buffer from the natural water body's banks by the mechanism of environmental reserve easement provides the best means of environmental protection for the water course known as Foothill Creek.
4. The proposed subdivision complies with the M.D. of Pincher Creek subdivision policy R.11.

INFORMATIVE:

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

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- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) TELUS Communications Inc. has no objections to the above noted circulation.

- (e) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

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

Please contact FortisAlberta land services at landserv@fortisalberta.com 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 – Kristen Dykstra, Public Health Inspector/Executive Officer:

“In response to your July 31, 2019, subdivision of land application, we have reviewed the information provided. We wish to provide the following comments:

- We do not foresee any new public health problems being created as a result of the above noted subdivision provided that the applicant complies with all pertinent regulations, by-laws, and standards.
- Each parcel of residential land should have access to a legal source of drinking water as designated by the appropriate regulatory authority.
- Where water services are provided, sewer services approved by the appropriate agency must also be provided.
- In the application, the applicant noted that the property is within 1 mile of a Confined Feeding Operation (CFO). It must be confirmed that the setback distance from the CFO meets the requirements set out in legislation.

If you require further clarification, please contact me at the Lethbridge Community Health Centre at 403-388-6690 Ext. 8.”

Carried

6. NEW BUSINESS

Nil

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7. **NEXT MEETING** – Tuesday, October 1, 2019; 6:00 pm.

8. **ADJOURNMENT**

Councillor Rick Lemire

19/036

Moved that the meeting adjourn, the time being 6:14 pm.

Carried



Brian Hammond, Chair
Subdivision Authority



Roland Milligan, Secretary
Subdivision Authority