

Agenda
Municipal District of Pincher Creek No. 9
Subdivision Authority
January 2, 2018
6:00 pm

- 1. Adoption of Agenda**
- 2. Minutes**
 - a. Minutes of November 7, 2017
- 3. In Camera**
- 4. Unfinished Business**
- 5. Subdivision Applications**
 - a. Subdivision Application No. 2017-0-184
David and Amanda Willms
NW 20-5-2 W5M
- 6. New Business**
- 7. Next Regular Meeting** February 6, 2018
- 8. Adjournment**

**Meeting Minutes of the Subdivision Authority
Tuesday, November 7, 2017; 6:00 pm
M.D. of Pincher Creek No. 9 Council Chambers**

IN ATTENDANCE

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

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

COMMENCEMENT

Reeve Quentin Stevick called the meeting to order, the time being 6:00 pm.

1. ADOPTION OF AGENDA

Councillor Terry Yagos 17/013

Moved that the Subdivision Authority Agenda for November 7, 2017, be approved as presented.

Carried

2. ADOPTION OF MINUTES

Councillor Bev Everts 17/014

Moved that the June 6, 2017 Subdivision Authority Minutes, be approved as presented.

Carried

3. IN CAMERA

Councillor Terry Yagos 17/015

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

Carried

Councillor Terry Yagos 17/016

Moved that the Subdivision Authority and staff move out of In-Camera, the time being 6:18 pm.

Carried

MINUTES
SUBDIVISION AUTHORITY
Municipal District of Pincher Creek No. 9
November 7, 2017

4. UNFINISHED BUSINESS

Nil

5. SUBDIVISION APPLICATION

- a. Subdivision Application No. 2017-0-143
Lorna Maureen McRae
SW 10-6-2 W5M

Councillor Brian Hammond

17/017

Moved that the Country Residential subdivision of SW 10-6-2-W5M (Certificate of Title No. 131 154 672), to create a 10.05 acre (4.07 ha) parcel from a title of 138.74 acres (56.17 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 10.05 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 No. 9 be determined at the final stage, for Municipal Reserve Purposes.

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the *Municipal Government Act*, all outstanding property taxes shall be paid to the M.D. of Pincher Creek No. 9.
2. That, pursuant to Section 655(1)(b) of the *Municipal Government Act*, the applicant or owner or both enter into a Development Agreement with the M.D. of Pincher Creek No. 9 which shall be registered concurrently with the final plan against the title(s) being created.
3. That prior to finalization and in accordance with the *Water Act* and *Environmental Protection and Enhancement Act*, the applicant or owner shall provide a copy of the approved license of the well within the SE 9-6-2-W5M submitted to the Subdivision Authority and further the applicant or owner shall submit an easement and agreement for the water line through SW 10-6-2-W5M and SE 9-6-2-W5M.
4. That all easements required by the MD of Pincher Creek No. 9 shall be established prior to finalization of the application.

Carried

6. NEW BUSINESS

Nil

MINUTES
SUBDIVISION AUTHORITY
Municipal District of Pincher Creek No. 9
November 7, 2017

7. **NEXT MEETING** – Tuesday, December 5, 2017; 6:00 pm.

8. **ADJOURNMENT**

Councillor Terry Yagos

17/018

Moved that the meeting adjourn, the time being 6:21 pm.

Carried

Quentin Stevick, Chair
Subdivision Authority

Wendy Kay, Secretary
Subdivision Authority

DRAFT



OLDMAN RIVER REGIONAL SERVICES COMMISSION

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

Phone: (403) 329-1344
Toll-Free: 1-844-279-8760
Fax: (403) 327-6847
E mail: subdivision@orrsc.com
Website: www.orrsc.com

DRAFT RESOLUTION

Our File: 2017-0-184

December 14, 2017

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

Dear Ms. Kay:

RE: NW1/4 20-5-2-W5M M.D. of Pincher Creek No. 9

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

The Subdivision Au
Livingstone School
Agriculture, AB Envi
and the Area Wildlife

Please contact this office if you require any further information.

Gavin Scott
Senior Planner

GS/jm
Attachment

RESOLUTION

2017-0-184

(k) Adjacent Landowner – Guido & Susan Guerra:

“We are in receipt of the Application for Subdivision of Land at NW1/4 20-5-2-W5M which is near our acreage located at SE 30-05-02-W4 (Civic address: 5417 RR2-5).

We have no issue with the subdivision itself, but are concerned about excessive heavy-equipment vehicle traffic that will be using the MD road adjacent to our property (locally known as the “Buckhorn”) in order to develop road access to the subdivision location as well as provide services/construction (ie. septic trenching, cement trucks for foundation, etc).

In July, 2017 we had 150 metres of cold mix applied to the road as a dust control measure with the assurance that the cold mix surfacing would last 8 to 10 years -- this done on a cost-shared basis with the MD. Since buying our property in 1994, we had previously paid for many of these past 23 years to have the seasonal pine tar mixture used for dust control surfacing and were extremely happy with the MD’s decision to finally offer a more permanent solution.

We are requesting that the MD be willing to fix or maintain the cold mix surfacing, with no additional cost to us, should it become damaged before the 8 to 10-year life expectancy of the current surface...especially in view of the additional heavy-equipment vehicle traffic that will occur.”

CHAIRMAN

DATE

Planner's Preliminary Comments:

The purpose of this application is to create a 10.04 acre (4.06 ha) parcel from a previously unsubdivided quarter section of 160 acres (64.7 ha) for country residential use.

The proposal is to accommodate the subdivision of a newly developed residence. Access to the lot is presently granted from an existing approach to the north, off of a developed municipal road allowance. The existing residence is serviced by a septic system and on-site domestic well.

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

1. Any outstanding property taxes shall be paid to the MD of Pincher Creek.
2. The applicant or owner or both enter into a Development Agreement with the MD.
3. Provision of a surveyors sketch to illustrate lot dimensions and improvements on site.
4. Consideration of adjacent landowners and referral agencies comments.
5. That any easement(s) as required by utility companies or the municipality shall be established prior to finalization of the application.
6. That, any conditions of Alberta Culture and Tourism, Historic Resources, shall be met prior to finalization.
7. 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**

Fee Submitted: \$925.00 File No: 017-0-18

APPLICATION SUBMISSION
Date of Receipt: No 0/17 Date Deemed Complete: N. 10/17 Accepted By: [Signature]

1. CONTACT INFORMATION

Name of Registered Owner of Land to be Subdivided: David Williams
Mailing Address: [Redacted] Postal Code: [Redacted]
Telephone: [Redacted] Cell: [Redacted] Fax: 1A
Email: [Redacted]
Name of Agent (Person Authorized to act on behalf of Registered Owner): David Williams
Mailing Address: [Redacted] Postal Code: [Redacted]
Telephone: [Redacted] Cell: [Redacted] Fax: N/A
Email: [Redacted]

2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

a. All/part of the NW ¼ Section 20 Township 5 Range 24 West of Meridian (e.g. SE¼ 36-1-36-W4M)
b. Being all/part of: Lot/Unit N/A Block N/A Plan N/A
c. Total area of existing parcel of land (to be subdivided) is: N/A hectares 10 acres
d. Total number of lots to be created: 1 Size of Lot(s): 1 Acres
e. Rural Address (if applicable): N/A
f. Certificate of Title No.(s): 71 117 180

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 N/A
c. Is the land situated within 0.8 kilometres (½ mile) of the right-of-way of a highway? Yes No
If "yes" the highway is No. N/A
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 N/A
e. Is the proposed parcel within 1.5 kilometres (0.93 miles) of a sour gas facility? Yes No

4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED

Describe:
a. Existing use of the land: FENCED LAND / PASTURE
b. Proposed use of the land: RESIDENCE / PASTURE

5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED

- a. Describe the nature of the topography of the land (flat, rolling, steep, mixed)
- b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.)
DECIDUOUS / (NO FOREST) FOREST (~70%) GRASSLAND (~30%)
- c. Describe the nature of soil on the land (sandy, loam, clay, etc.) SANDY PIT RUN
- 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 liquid 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

- Describe: Shallow Well
- a. Existing source of potable water: OF THE LOT
- b. Proposed source of potable water: SANITARY

7. SEWER SERVICES

- Describe:
- a. Existing sewer disposal: Type 1200 Gallons TANK Year Installed 2017
- b. Proposed sewer disposal: 1200 Gallons TANK

8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF

I, [Signature] hereby certify that

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

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

Signed: [Signature] Date: OCT 1, 2017

9. RIGHT OF ENTRY

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

This right is granted pursuant to Section 633(2) of the Municipal Government Act.

Signature of Registered Owner



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0021 175 071 5;2;5;20;NW 171 117 180

LEGAL DESCRIPTION

MERIDIAN 5 RANGE 2 TOWNSHIP 5
SECTION 20
QUARTER NORTH WEST
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS
EXCEPTING THEREOUT THE ROADWAY ON PLAN 1789EM
CONTAINING 0.769 HECTARES (1.9 ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 171 059 772

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
171 117 180	01/06/2017	TRANSFER OF LAND	\$790,000	NIL

OWNERS

DAVID THOMAS WILLMS

AND

AMANDA JANE WILLMS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION	DATE (D/M/Y)	PARTICULARS
NUMBER		
871 142 667	10/08/1987	UTILITY RIGHT OF WAY

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
171 117 180

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY
LIMITED.

171 180 340

TOTAL INSTRUMENTS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 10 DAY OF
NOVEMBER, 2017 AT 10:59 A.M.

ORDER NUMBER: 34057368

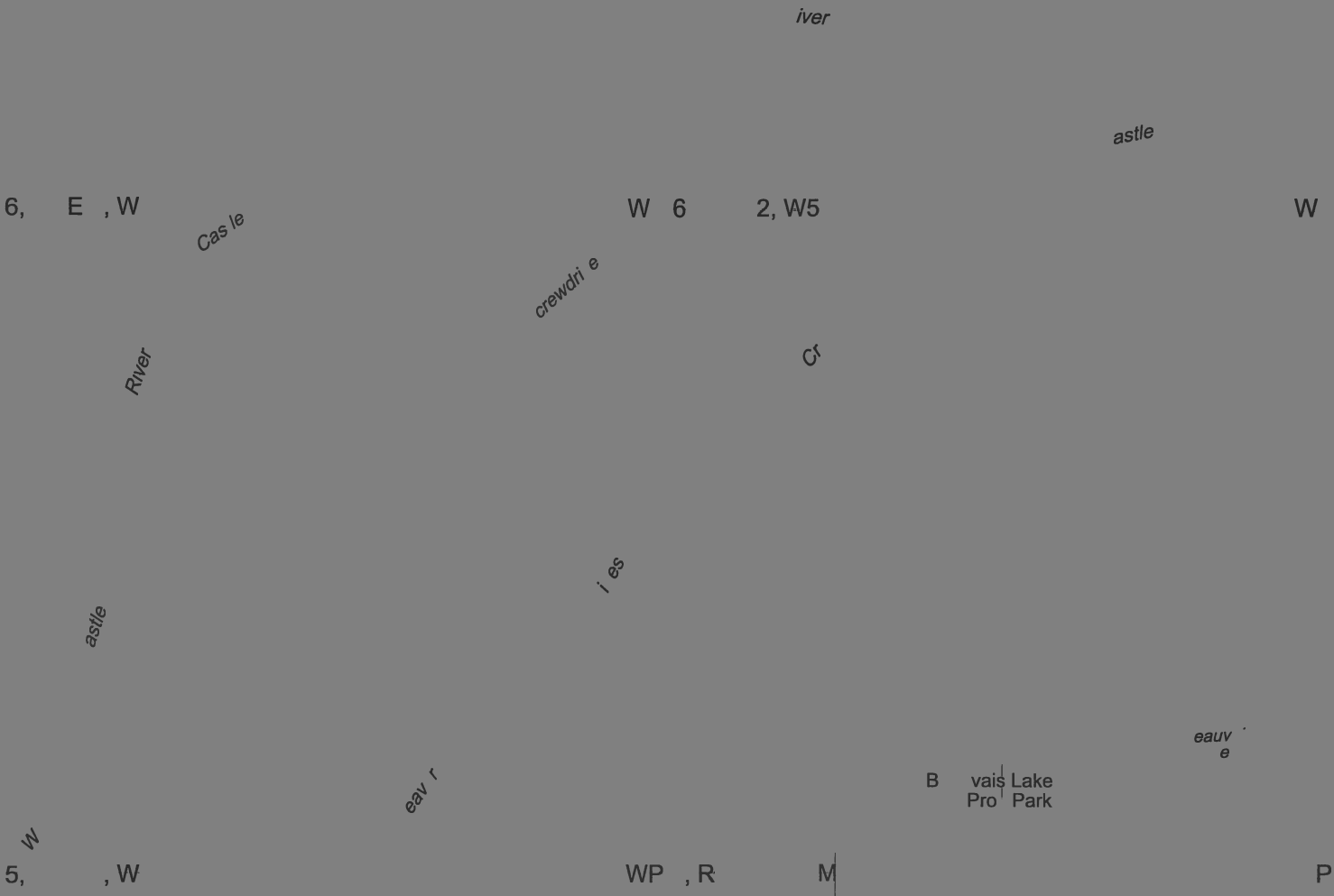
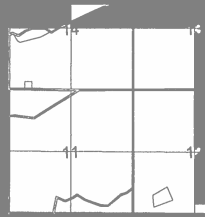
CUSTOMER FILE NUMBER:



END OF CERTIFICATE

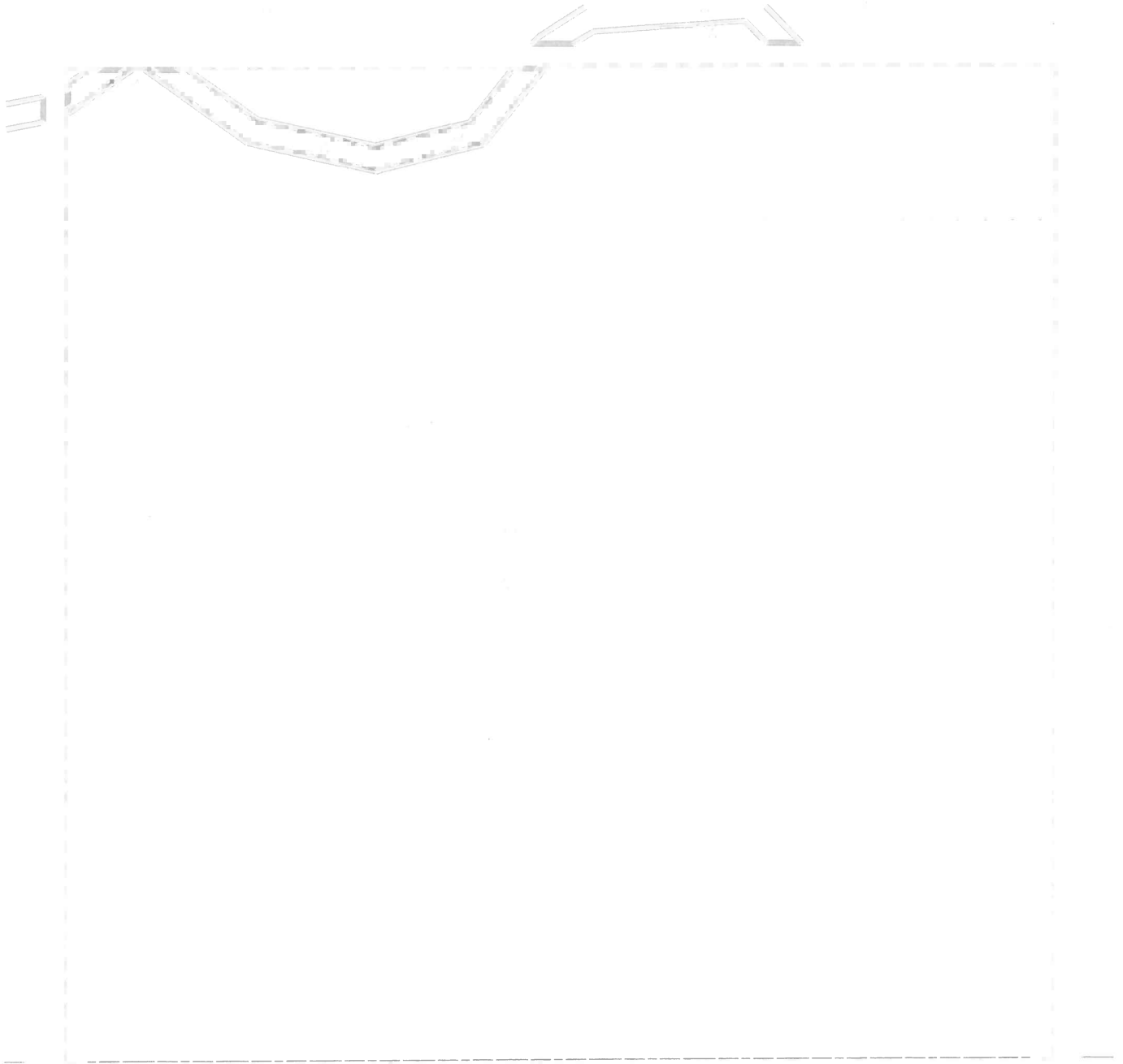
THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
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SUBDIVISION LOCATION SKETCH
NW 1/4 SEC 20, TWP 5, RGE 2, W 5 M
MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
DATE: NOVEMBER 14, 2017
FILE No: 2017-0-184

MAP PREPARED BY:
 OLDMAN RIVER REGIONAL SERVICES COMMISSION
 3105 16th AVENUE NORTH, LEYBRIIDGE, AB T1H 5E9
 "NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"



SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 17-13841T

NW 1/4 SEC 20, TWP 5, RGE 2, W 5 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

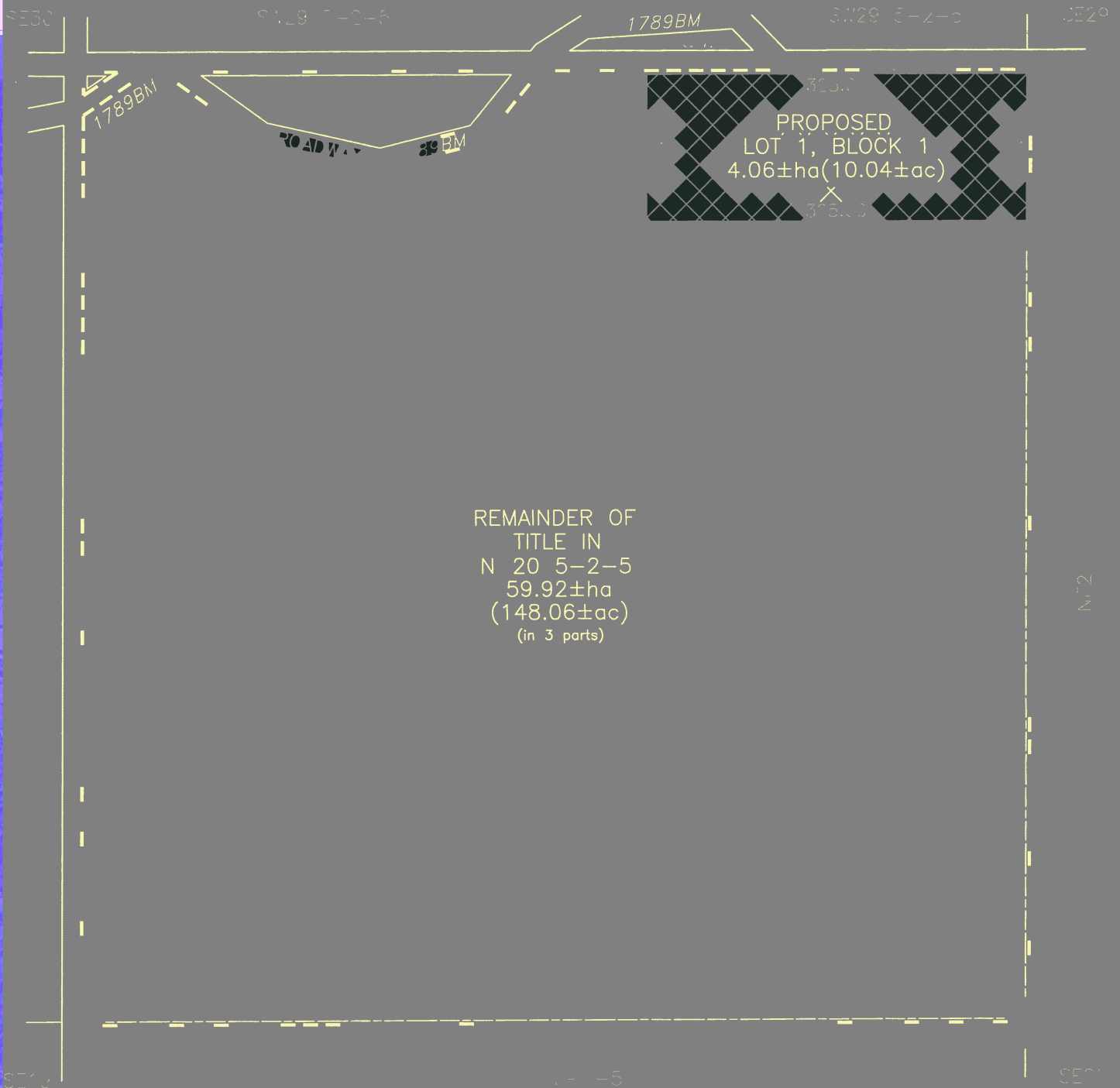
DATE: NOVEMBER 14, 2017

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OLDMAN RIVER REGIONAL SERVICES COMMISSION





SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 17-13841T

NW 1/4 SEC 20, TWP 5, RGE 2, W 5 M

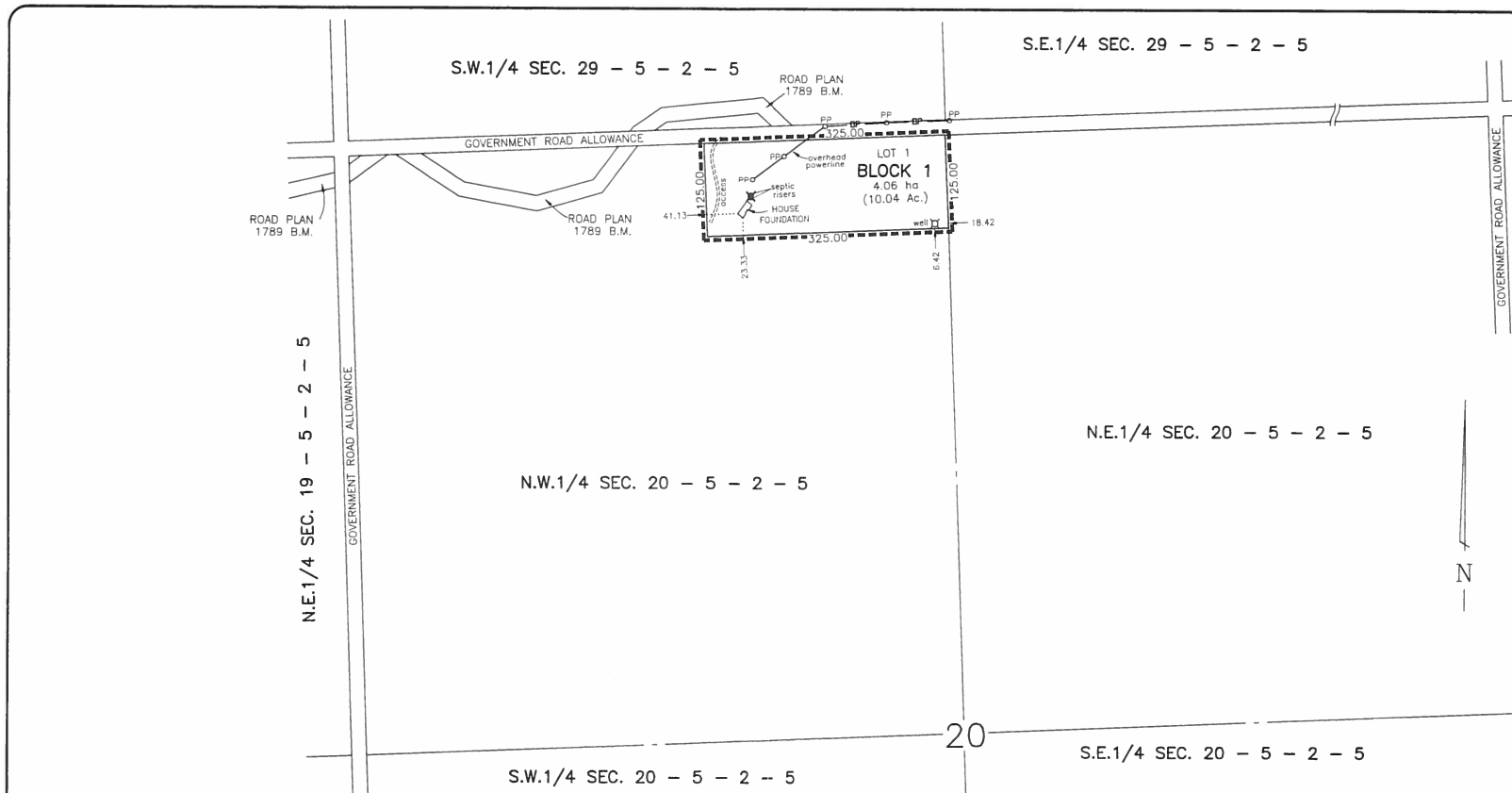
MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: NOVEMBER 14, 2017

FILE No: 2017-0-184

OLDMAN RIVER REGIONAL SERVICES COMMISSION






NO.	REVISION	DATE	BY

NOTE : Portion to be approved is outlined thus -----
and contains approximately 4.06 ha.
Distances are in metres and decimal parts thereof.
Distances and areas are approximate and are
subject to change upon final survey.

DAVE WILLMS

TENTATIVE PLAN SHOWING SUBDIVISION
of part of
N.W.1/4 SEC. 20, TWP. 5, RGE. 2, W.5 M.

County of Lethbridge

 brown okamura & associates ltd. Professional Surveyors 514 Stafford Drive, Lethbridge, Alberta		
APPROVED	DRAWN CJB	DATE AUG 21/17
	CHECKED DJA	JOB 17-13841
	SCALE	DRAWING
D. J. Amantea, A.L.S.	1:5000	17-13841T