

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

- 1. Adoption of Agenda**
- 2. Minutes**
  - a. Minutes of January 2, 2018
- 3. In Camera**
- 4. Unfinished Business**
- 5. Subdivision Applications**
  - a. Subdivision Application No. 2018-0-002  
Steven and Rhonda Oczkowski  
NW 10-6-2 W5M
- 6. New Business**
- 7. Next Regular Meeting**     March 6, 2018; 6:00 pm
- 8. Adjournment**

**Meeting Minutes of the Subdivision Authority  
Tuesday, January 2, 2018; 6:00 pm  
MD 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 18/001

Moved that the Subdivision Authority Agenda for January 2, 2018, be approved as presented.

Carried

**2. ADOPTION OF MINUTES**

Councillor Rick Lemire 18/002

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

Carried

**3. IN CAMERA**

Councillor Bev Everts 18/003

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

Carried

Councillor Rick Lemire 18/004

Moved that the Subdivision Authority and staff move out of In-Camera, the time being 6:25 pm.

Carried

MINUTES  
SUBDIVISION AUTHORITY  
Municipal District of Pincher Creek No. 9  
January 2, 2018

**4. UNFINISHED BUSINESS**

Nil

**5. SUBDIVISION APPLICATION**

- a. Subdivision Application No. 2017-0-184  
David and Amanda Willms  
NW 20-5-2 W5M

Councillor Brian Hammond

18/005

Moved that the Country Residential subdivision of NW 20-5-2-W5M (Certificate of Title No. 171 117 180), 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; 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.

And that an additional informative be added regarding the Alberta Agricultural and Forestry FireSmart information.

Carried

**6. NEW BUSINESS**

Nil

- 7. NEXT MEETING** – Tuesday, February 6, 2018; 6:00 pm.

**8. ADJOURNMENT**

Councillor Terry Yagos

18/006

Moved that the meeting adjourn, the time being 6:29 pm.

Carried

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Quentin Stevick, Chair  
Subdivision Authority

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Wendy Kay, Secretary  
Subdivision Authority



3105 - 16<sup>th</sup> Avenue North  
Lethbridge, Alberta T1H 5E8

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

## DRAFT RESOLUTION

Our File: 2018-0-002

January 30, 2018

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

Dear Ms. Kay:

**RE: NW1/4 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 Livingstone School Division, Holy Spirit RC School Division, AltaLink, AB Agriculture, AB Environment & Parks – K. Murphy, AER, Area Wildlife Biologist, and Nova Gas Transmission Ltd.

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

2018-0-002

**M.D. of Pincher Creek No. 9 Public Utility** subdivision of NW1/4 10-6-2-W5M

THAT the Public Utility subdivision of NW1/4 10-6-2-W5M (Certificate of Title No. 141 068 180 +2), to create a 0.40 acre (0.16 ha) parcel from a title of 111.88 acres (45.24 ha) for public utility use; BE APPROVED subject to the following:

**RESERVE:** The 10% reserve requirement, pursuant to Government Act, on the 0.4 acres be deferred



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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CHAIRMAN

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DATE

## NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

**DATE:** January 4, 2018

**Date of Receipt:** January 3, 2018

**TO:**



The Oldman River Regional Services Commission (ORRSC) is in receipt of the following subdivision application which is being processed on behalf of the M.D. of Pincher Creek No. 9. In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email, fax or mail no later than **January 23, 2018**. (Please quote our File No. **2018-0-002** in any correspondence with this office).

<b>File No.:</b>	<b>2018-0-002</b>
<b>Legal Description:</b>	NW1/4 10-6-2-W5M
<b>Municipality:</b>	M.D. of Pincher Creek No. 9
<b>Land Designation:</b> (Zoning)	Agriculture - A
<b>Existing Use:</b>	Agricultural
<b>Proposed Use:</b>	Public Utility
<b># of Lots Created:</b>	1
<b>Certificate of Title:</b>	141 068 180 +2
<b>Meeting Date:</b>	February 6, 2018

**Planner's Preliminary Comments:**

The purpose of this application is to create a 0.40 acre (0.16 ha) parcel from a title of 111.88 acres (64.7 ha) for public utility use.

The proposal is to accommodate the subdivision of a 40m x 40m parcel for a water reservoir site. Access to the lot will be provided by means of an access right of way.

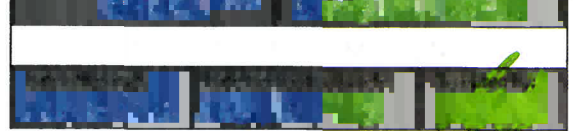
5. That any condition of the application.
6. That a waiver of the Municipal Development Plan agricultural subdivision policies be granted by the Subdivision Approval Authority of the MD of Pincher Creek.
7. That a right of way access and agreement (as depicted in the surveyor tentative plan Halma Thompson Land Surveys Ltd. File H51317T) to the benefit of proposed Lot 2PUL shall be provided before final approval of the subdivision with a copy of the signed agreement being submitted to the Subdivision Authority.

**RESERVE:**

- The payment of the applicable 10% Municipal Reserve on the 0.40 acres with the actual amount to be determined at the final stage for Municipal Reserve purposes.
- Or that the 10% reserve requirement, pursuant to Sections 669(2) and (3) of the Municipal Government Act, on the 0.40 acres be deferred by caveat 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**

APPLICATION SUBMISSION

**1. CONTACT INFORMATION**

Name of Registered Owner of Land to be Subdivided: Steven and Rhonda Oczkowski

Mailing Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Name of Agent (Person Authorized to act on behalf of Registered Owner): Halma Thompson Land Surveys Ltd.

Mailing Address: 200 - 410 Stafford Drive S, Lethbridge Postal Code: T1J 2L2

Telephone: 403-381-1320 Cell: \_\_\_\_\_ Fax: 403-381-1366

Email: mthompson@htlandsurveys.ca

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

a. All/part of the NW 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: 0.160 hectares 0.40 acres

d. Total number of lots to be created: 1 Size of Lot(s): 40m by 40m

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

f. Certificate of Title No.(s): 161-190 430 +2

**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 0.8 kilometres (½ mile) of the right-of-way of a highway? Yes  No

If "yes" the highway is No. 507

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

If "yes", state its name \_\_\_\_\_

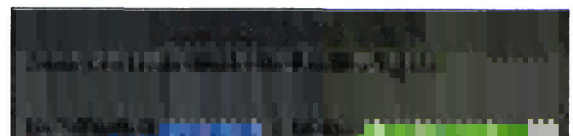
e. Is the proposed parcel within 1.5 kilometres (0.93 miles) of a sour gas facility? Yes  No

**4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED**

Describe:

a. Existing use of the land Agricultural

b. Proposed use of the land Raw Water Reservoir



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

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

No   
  
 No

**6. WATER SERVICES**

Describe:

- a. Existing source of potable water None
- b. Proposed source of potable water None

**7. SEWER SERVICES**

Describe:

- a. Existing sewage disposal None
- b. Proposed sewage disposal None

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

I Michael Thompson 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: December 22, 2017

**9. RIGHT OF ENTRY**

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

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

  
Signature of Registered Owner



OWNERS

STEVEN JOHN OCZKOWSKI

AND

RHONDA LEE OCZKOWSKI

BOTH OF:

-----  
ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
7804HT .	10/03/1960	UTILITY RIGHT OF WAY GRANTEE - THE ALBERTA GAS TRUNK LINE CO LTD. AS TO PORTION OR PLAN:3038IC "BY INST. 7475HY"
771 130 527	21/09/1977	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.
021 080 163		
121 064 381	19/03/2012	CAVEAT RE : DEFERRED RESERVE CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9. C/O OLDMAN RIVER REGIONAL SERVICES COMMISSION 3105-16 AVE NORTH LETHBRIDGE ALBERTA T1H5E8
171 203 813	12/09/2017	CAVEAT RE : UTILITY RIGHT OF WAY CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9. BOX 279, PINCHER CREEK ALBERTA TOK1W0

( CONTINUED )

REGISTRATION

NUMBER      DATE (D/M/Y)      PARTICULARS

AGENT - BRIDGE LAND & ENERGY SERVICES LTD.

TOTAL INSTRUMENTS: 005

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 15 DAY OF  
DECEMBER, 2017 AT 09:18 A.M.

ORDER NUMBER:    34246612

CUSTOMER FILE NUMBER:    H51317



\*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  
 0035 156 736            1210773;8;1                      121 078 971

LEGAL DESCRIPTION  
 PLAN 1210773  
 BLOCK 8  
 LOT 1  
 EXCEPTING THEREOUT ALL MINES AND MINERALS  
 AREA: 1.79 HECTARES (4.42 ACRES) MORE OR LESS

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

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 121 064 380

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
121 078 971	04/04/2012	TRANSFER OF LAND		

OWNERS

THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9.  
 OF BOX 279, PINCHER CREEK  
 ALBERTA T0K 1W0

ENCUMBRANCES, LIENS & INTERESTS		
REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
771 130 527	21/09/1977	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.
021 080 163	09/03/2002	CAVEAT RE : RIGHT OF WAY AGREEMENT CAVEATOR - NOVA GAS TRANSMISSION LTD. 450-1 ST SW PO BOX 1000, STN M

( CONTINUED )

REGISTRATION  
NUMBER      DATE (D/M/Y)      PARTICULARS

CALGARY  
ALBERTA T2P4K5  
AGENT - RICK FARMER

TOTAL INSTRUMENTS: 002

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ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
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CUSTOMER FILE NUMBER:    H51317



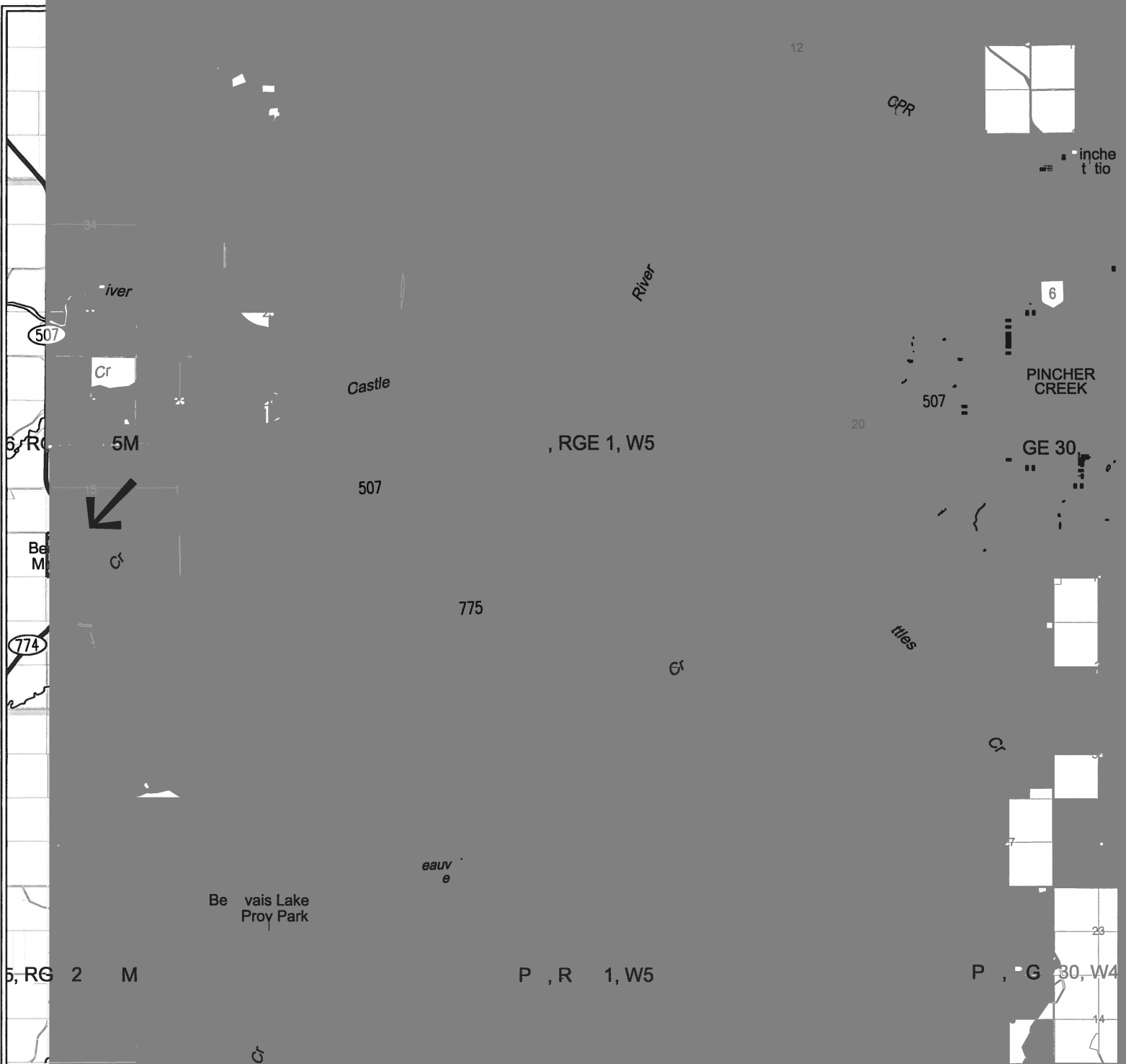
\*END OF CERTIFICATE\*

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1/4 inch = 100 feet



SUBDIVISION LOCATION SKETCH  
 NW 1/4 SEC 10, TWP 6, RGE 2, W 5 M  
 MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
 DATE: JANUARY 3, 2018  
 FILE No: 2018-0-002

MAP PREPARED BY  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 3185 11 AVENUE NORTH, LETHBRIDGE, AB T1H 5E9  
 \*NOT RESPONSIBLE FOR ERRORS OR OMISSIONS\*

SE16  
6-2-5

LOT 1  
9010037

SW15 6-2-5 SE15

PROPOSED  
LOT 2PUL  
BLOCK 8  
0.16±ha  
(0.40±ac)



PROPOSED ACCESS

REMAINDER OF  
TITLE IN  
NW10 6-2-5  
45.11±ha  
(111.48±ac)

NE9 6-2-5

GAS TRANSMISSION LINE R/W  
(30.381C)

SE9

SW10 6-2-5

NE10 6-2-5

SE10

### SUBDIVISION SKETCH

See tentative plan of subdivision by Halma Thompson Land Surveys Ltd. file no. H51317T

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

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: JANUARY 3, 2018

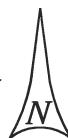
FILE No: 2018-0-002

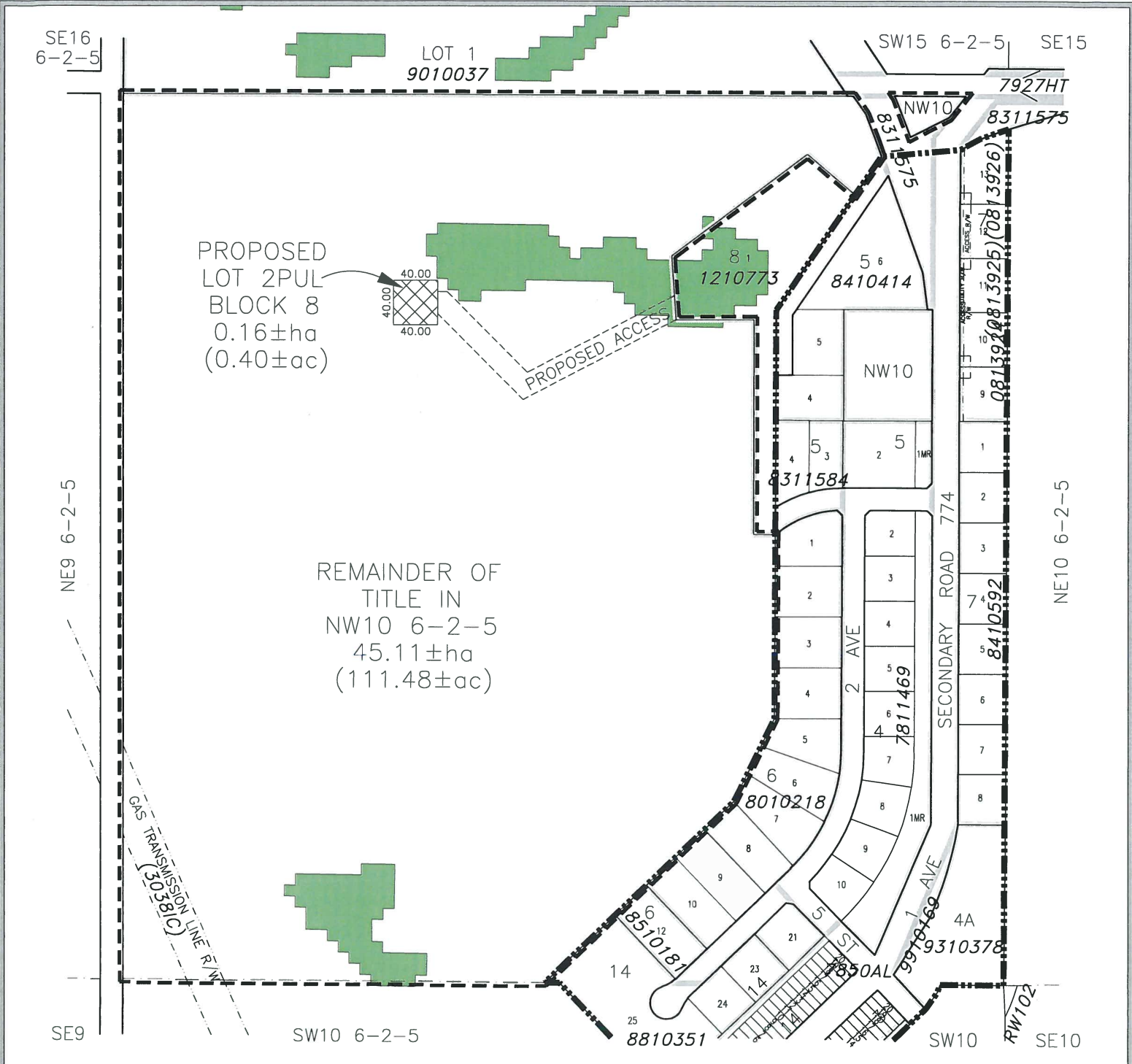


OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 100 200 300 400

January 03, 2018 N:\Subdivision\2018\2018-0-002.dwg





### SUBDIVISION SKETCH

See tentative plan of subdivision by Halma Thompson Land Surveys Ltd. file no. H51317T

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

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: JANUARY 3, 2018

FILE No: 2018-0-002

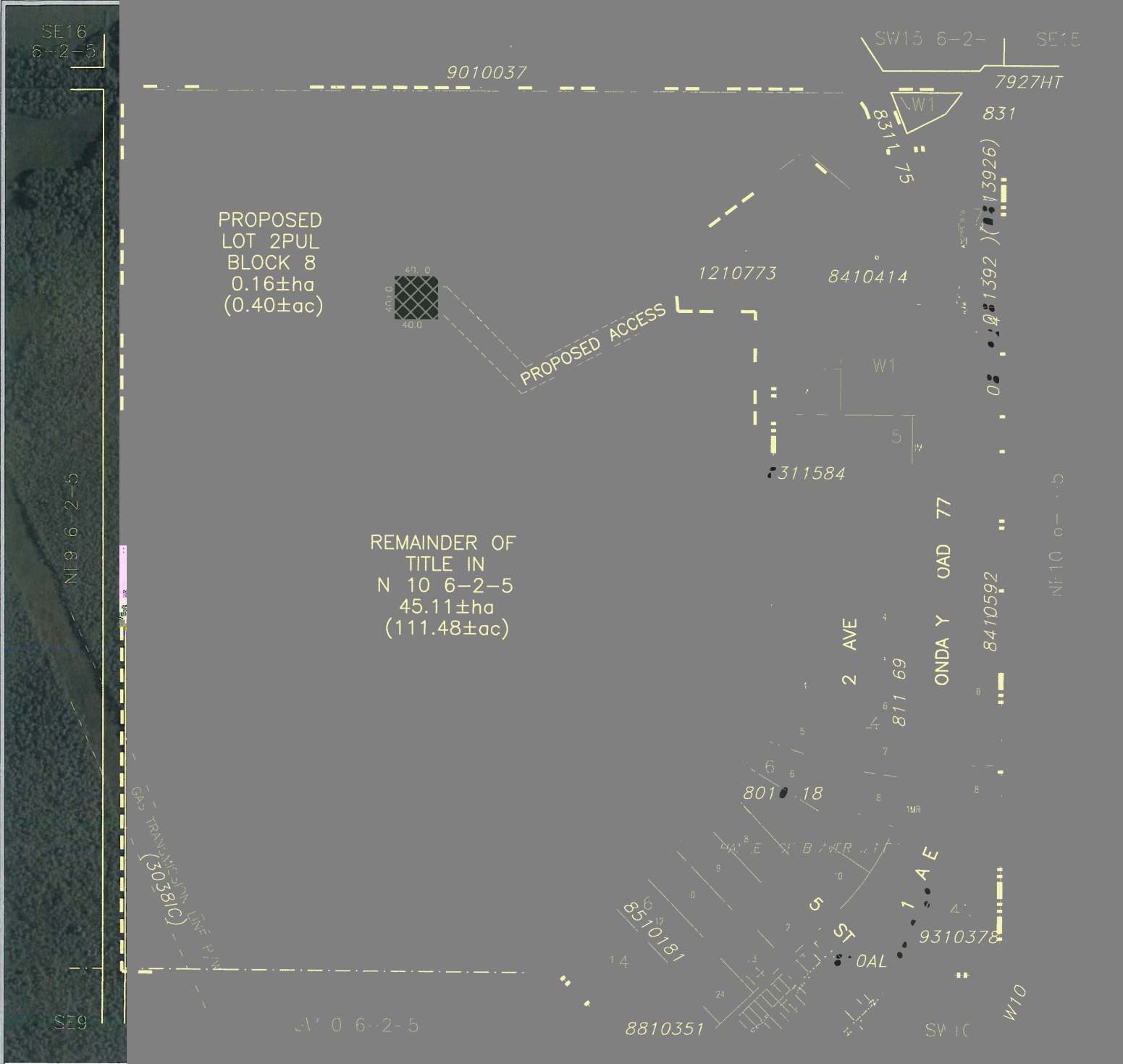
 Wetland



0 Metres 100 200 300 400

January 04, 2018 N:\Subdivision\2018\2018-0-002.dwg





PROPOSED  
LOT 2PUL  
BLOCK 8  
0.16±ha  
(0.40±ac)

REMAINDER OF  
TITLE IN  
N 10 6-2-5  
45.11±ha  
(111.48±ac)

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See tentative plan of subdivision by Halma Thompson Land Surveys Ltd. file no. H51317T

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

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

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