

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

- 1. Adoption of Agenda**
- 2. Adoption of Minutes**
 - a. Minutes of September 4, 2018
- 3. Closed Meeting Session**
- 4. Unfinished Business**
- 5. Subdivision Applications**
 - a. Subdivision Application No. 2018-0-147
Reinhold Michael Schmidt
SW 35-3-29 W4M
- 6. New Business**
- 7. Next Regular Meeting** December 4, 2018; 6:00 pm
- 8. Adjournment**

Special Meeting Minutes of the Subdivision Authority
 Tuesday, September 4, 2018; 3:00 pm
 MD of Pincher Creek No. 9 Administration Building

IN ATTENDANCE

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

Staff: Interim Chief Administrative Officer Sheldon Steinke, 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 3:00 pm.

1. ADOPTION OF AGENDA

Councillor Terry Yagos 18/031

Moved that the Subdivision Authority Agenda for September 4, 2018, be amended, the amendment as follows:

Reword Agenda Item Number 3 to “Closed Meeting Session”;

And that the agenda be approved as amended.

Carried

2. ADOPTION OF MINUTES

Councillor Bev Everts 18/032

Moved that the June 5, 2018 Subdivision Authority Minutes, be approved as presented.

Carried

3. CLOSED MEETING SESSION

Councillor Brian Hammond 18/033

Moved that the Subdivision Authority close the meeting to the public, under the authority of the *Municipal Government Act* the time being 3:01 pm.

Carried

Councillor Brian Hammond 18/034

Moved that the Subdivision Authority open the meeting to the public, the time being 3:17 pm.

Carried

4. UNFINISHED BUSINESS

Nil

5. SUBDIVISION APPLICATION

- a. Subdivision Application No. 2018-0-127
Keith Shenton and Brenda Shenton
SW 14-5-2 W5M

Councillor Bev Everts

18/035

Moved tHAT the Country Residential subdivision of SW1/4 14-5-2-W5M (Certificate of Title No. 091 002 078), to create a 13.03 acre (5.27 ha) parcel from a previously un-subdivided quarter section of 160 acres (64.7 ha) for country residential use; BE APPROVED subject to the following:

CONDITIONS:

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

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. The proposed subdivision with waiver complies with the M.D. of Pincher Creek subdivision policy R.11.
4. That a waiver of the maximum lot size of 10 acres within the Agriculture – A district of the M.D. of Pincher Creek Land Use Bylaw, pursuant to Municipal Government Act section 654(2) was deemed appropriate and granted.

INFORMATIVE:

1. Since the proposed subdivision complies with Section 663(a) of the Municipal Government Act, Reserve is not required.
2. That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
3. 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.)

MINUTES
SUBDIVISION AUTHORITY
Municipal District of Pincher Creek No. 9
September 4, 2018

4. M.D. of Pincher Creek No. 9 – L.J. (Leo) Reedyk, Director of Operations:
“I have no issues with the proposed subdivision.”
5. The proposed subdivision does not fall within ATCO Gas’ rural franchise area, therefore ATCO Gas has no objection to the proposed subdivision.
6. Alberta Health Services – Wade Goin, Executive Officer:
“Based a review of this file this department has no objection to this subdivision provided:
 - All other pertinent bylaws, regulations and standards are complied with.Should you have any questions regarding this report, please do not hesitate to contact me at 403-562-5030.”
7. AltaGas Utilities Inc. has no objection to the proposed subdivision described in the file mentioned above.
We wish to advise that we have no facilities in the proposed subdivision, however, please notify Alberta 1st Call at 1-800-242-3447 to arrange for “field locating” should excavations be required within the described area.
We wish to advise that any relocation of existing facilities will be at the expense of the developer and payment of contributions required for new gas facilities will be the responsibility of the developer.
8. 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 (310-94 73) to make application for electrical services.
Please contact FortisAlberta land services at landserv@fortisalberta.com or by calling (403) 514-4783 for any questions.

Reeve Quentin Stevick requested a recorded vote.

Councillor Terry Yagos – In Favour
Councillor Bev Everts – In Favour
Councillor Brian Hammond – In Favour
Councillor Rick Lemire – In Favour
Reeve Quentin Stevick - Opposed
Carried

6. NEW BUSINESS

Nil

7. NEXT MEETING – Tuesday, October 2, 2018; 6:00 pm.

8. A DJOURNMENT

Councillor Rick Lemire

18/036

Moved that the meeting adjourn, the time being 3:19 pm.

Carried

Quentin Stevick, Chair
Subdivision Authority

Sheldon Steinke, Interim 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
E-mail: subdivision@orrsc.com
Website: www.orrsc.com

Sheldon Steinke
Chief Administrative Officer
Municipal District of Pincher Creek No. 9
Box 279
Pincher Creek AB T0K 1W0

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SW1/4 35-3-29-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.

Subdivision Authority should note that comments have not been received from the Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, Chief Mountain Gas Co-Ltd., AB Environment & Parks - K. Murphy, Area Wildlife Biologist - M. Didkowsky, AB Agriculture, AER and CNRL.

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.**

nt

RESOLUTION

2018-0-147

(f) Alberta Health Services – Michael Swystun, Executive Officer:

“A review of the subdivision application and out on-site inspection, AHS does not object to this subdivision. Should you have any questions regarding this report, please do not hesitate to contact me at 403-627-1230.”

CHAIRMAN

DATE



NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: September 19, 2018

Date of Receipt:

September 11, 2018

Date of Completeness:

September 12, 2018

TO: Landowner: Reinhold Michael Schmidt

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

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 - Lethbridge, AB Environment & Parks - K. Murphy, Area Wildlife Biologist - M. Didkowsky, AB Agriculture, AER, CNRL

Adjacent Landowners: David Fitzpatrick, William Marian Hanlon Professional Corp, David and Dana Fitzpatrick, Christopher and Jennifer Bruder, Spearpoint Cattle Co. Ltd., Grant McNab

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 8, 2018**. (Please quote our File No. **2018-0-147** in any correspondence with this office).

File No.: 2018-0-147

Legal Description: SW1/4 35-3-29-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: 141 272 517 +1

Meeting Date: November 6, 2018

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 10.77 acre (4.36 ha) parcel from a previously un-subdivided quarter section of 160 acres (64.7 ha) for country residential use.

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 a waiver of the Land Use Bylaw 10 acre maximum parcel size requirement be granted by the Subdivision Approval Authority of the MD of Pincher Creek. Or that the proposed parcel be reduced in size sufficient to accommodate existing buildings, structures and improvements.

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.

OLYMPIAN RIVER REGIONAL SERVICES COMMISSION

APPLICATION FOR SUBDIVISION
RURAL MUNICIPALITY

APPLICATION SUBMISSION

1. CONTACT INFORMATION

Name of Registered Owner of Land to be Subdivided: _____ (ies) of a source gas facility? Unknown Yes No

Mailing Address: _____ Reinhold Michael Schmidt _____

Telephone: _____ Cell: _____ Postal Code: _____

Email: _____ Fax: _____

Name of Agent (Person Authorized to act on behalf of Registered Owner): _____ Preferred Method of Correspondence: Email Mail

Mailing Address: _____ Zachary J. Prosper, ALS Pupil _____

Telephone: _____ Cell: _____ Postal Code: _____

Email: _____ Fax: _____

Name of Surveyor: Zachary J. Prosper, ALS Pupil Preferred Method of Correspondence: Email Mail

Mailing Address: Box 655 Lethbridge AB _____ bokamura & associates ltd. _____

Telephone: 403-329-4688 Ex. 29 Cell: _____ Postal Code: T1J 3Z4

Email: zach@bokamura.com Fax: _____

2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

a. All/part of the SW 1/4 Section 35 Township _____

b. Being all/part of: Lot/Unit _____ Range 29 West of 4 Meridian (e.g. SE 1/4 36 1-36 W4M)

c. Total area of existing parcel of land (to be subdivided) _____ hectares _____ acres

d. Total number of lots to be created: 1 (total) is: 6 hectares 160 acres

e. Rural Address (if applicable): 350 - size of lot(s): 4.36 Ha / 10.76 Ac

f. Certificate of Title No.(s): 05 855

3. LOCATION OF LAND TO BE SUBDIVIDED

a. The land is located in the municipality of M.D. _____

b. Is the land situated immediately adjacent to the municipal boundary of Pincher Creek? Yes No

If "yes", the adjoining municipality is _____

c. Is the land situated within 1.6 kilometres (1 mile) of a highway? Yes No

If "yes" the highway is No. _____ the right-of-way of a highway?

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 river, stream, lake or other body of water, or by a canal or drainage ditch? Yes No

4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED

Describe:

- a. Existing use of the land Farmyard
- b. Proposed use of the land Farmyard

5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED

6. VI

7.

8.

(boa file: 18-14283) 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: R M Schmidt Date: Sept 8 / 2018

9. RIGHT OF ENTRY

I, Reinhold Michael Schmidt 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.

R M Schmidt
Signature of Registered Owner(s)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

141 272 517 +1

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

BOTH OF:
GENERAL DELIVERY
TWIN BUTTE
ALBERTA T0K2J0
AGENT - COLIN G SIMMONS

951 261 566 15/11/1995 CAVEAT
RE : SURFACE LEASE
CAVEATOR - CANADIAN NATURAL RESOURCES LIMITED.
BOX 6926, STATION "D"
CALGARY
ALBERTA T2P2G1
AGENT - JANE LASHA POOL
(DATA UPDATED BY: TRANSFER OF CAVEAT
161170102)

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 4 DAY OF
SEPTEMBER, 2018 AT 03:20 P.M.

ORDER NUMBER: 35819787

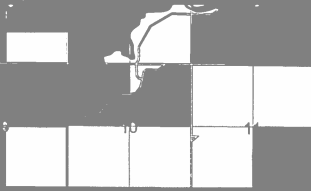
CUSTOMER FILE NUMBER:



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).



Cr

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SUBDIVISION LOCATION SKETCH

SW 1/4 SEC 35, TWP 3, RGE 29, W 4 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: SEPTEMBER 13, 2018

FILE No: 2018-0-147

MAP PREPARED BY
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3185 16th AVENUE NORTH LETHBRIDGE, AB T1H 5E8
NOT RESPONSIBLE FOR ERRORS OR OMISSIONS

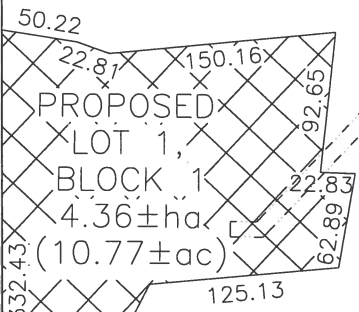
NE34

NW35 3-29-4

NE35

SE34 3-29-4

SALT WATER PIPELINE RIGHT OF WAY (3403JK)



REMAINDER OF
TITLE IN
SW35 3-29-4
60.39±ha
(149.23±ac)

SE35 3-29-4

1764Q

SE34

NW26 3-29-4

NE26

SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 18-14283

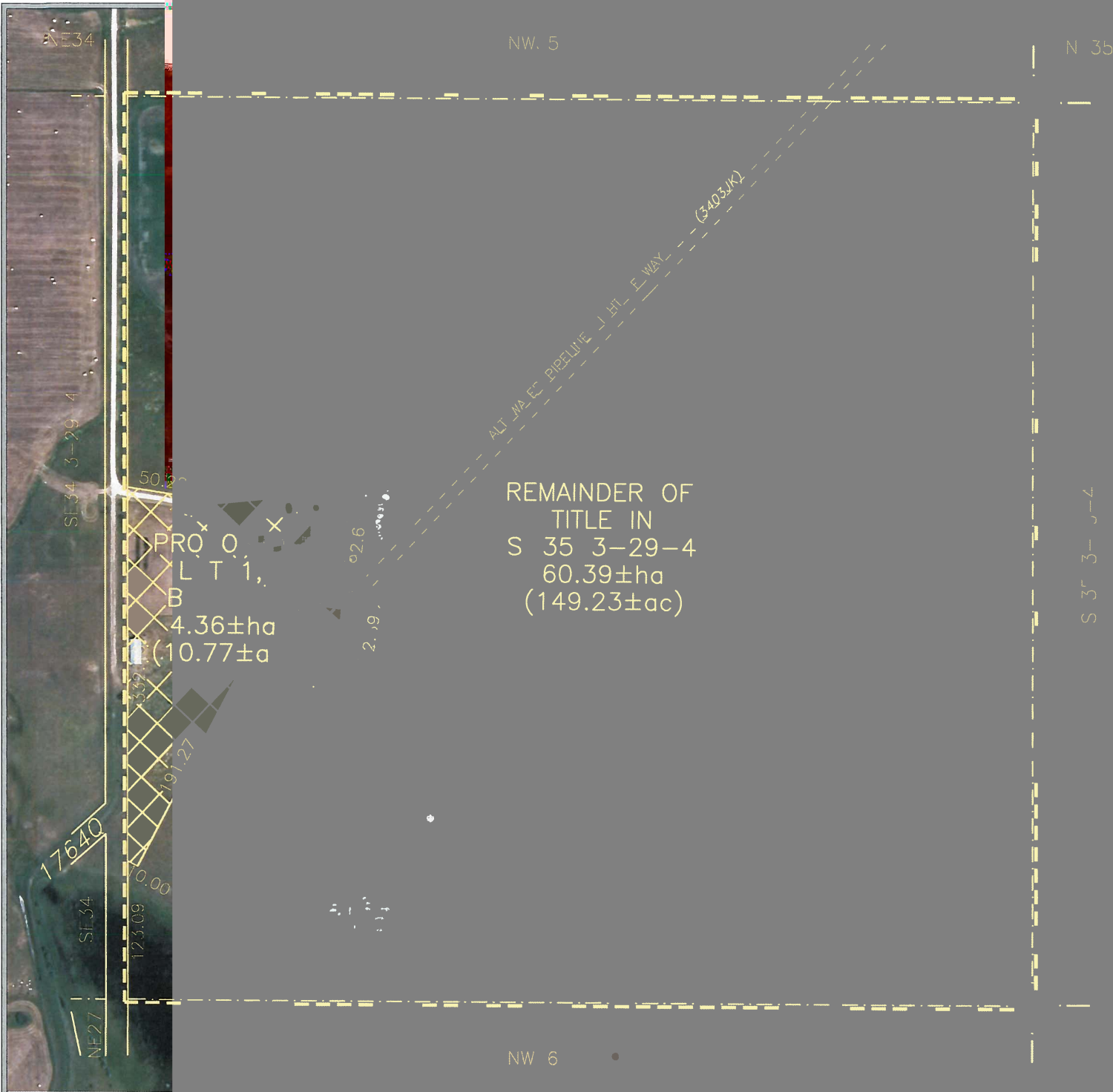
SW 1/4 SEC 35, TWP 3, RGE 29, W 4 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

DATE: SEPTEMBER 13, 2018

FILE No: 2018-0-147





SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 18-14283

SW 1/4 SEC 35, TWP 3, RGE 29, W 4 M

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

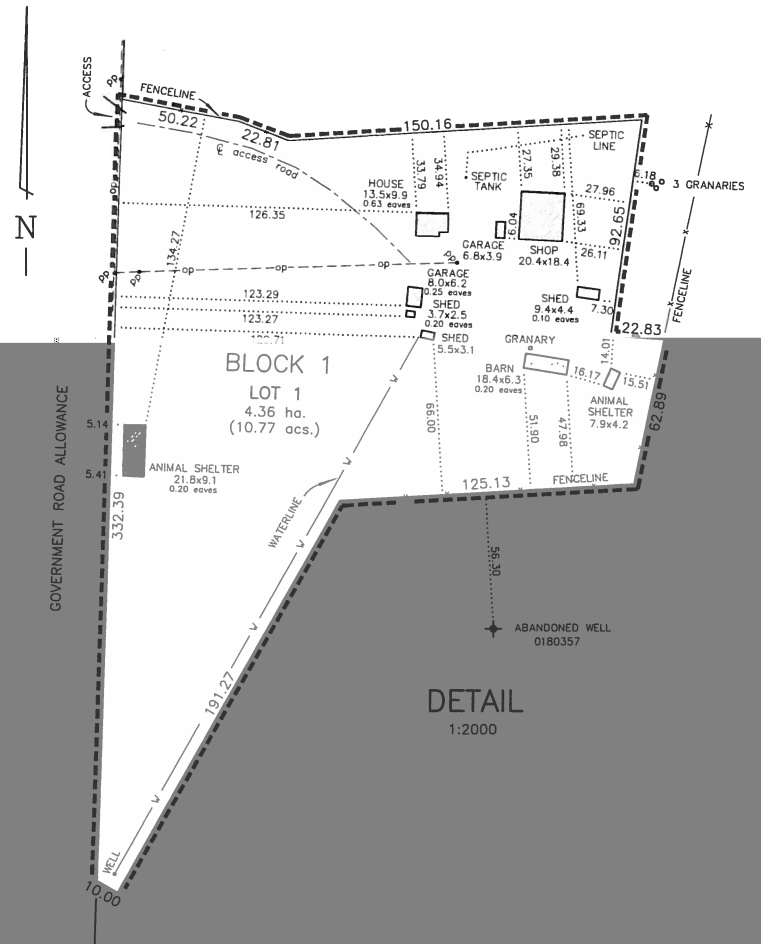
DATE: SEPTEMBER 13, 2018

FILE No: 2018-0-147

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 100 200 300 400

September 13, 2018 N:\Subdivision\2018\2018-0-147.dwg



DETAIL
1:2000

NO.	DATE	BY

NOTE : Improvements shown were surveyed on August 8, 2018.
 Portion to be approved is outlined thus -----
 and contains approximately 4.36 ha.
 Distances are in metres and decimal parts thereof.
 Distances and areas are approximate and are subject to change upon final survey.
 Power pole shown thus _____²
 Overhead power line shown thus _____^{op}-----

RON SCHMIDT



brown okamura & associates ltd.
Professional Surveyors
514 Stafford Drive, Lethbridge, Alberta

APPROVED

D.J. Amanteo, A.L.S.

DRAWN	jn	DATE	SEPT. 4 '18
CHECKED	DJA	JOB	18-14283
SCALE		DRAWING	
	1:5000		18-14283ta