

Agenda
Municipal District of Pincher Creek No. 9
Subdivision Authority
February 5, 2019
6:00 pm

- 1. Adoption of Agenda**
- 2. Adoption of Minutes**
 - a. Minutes of November 6, 2018
- 3. Closed Meeting Session**
- 4. Unfinished Business**
- 5. Subdivision Applications**
 - a. Subdivision Application No. 2018-0-170
Kenneth McRae and Barbara McRae
N ½ 20-6-1 W5M
 - b. Subdivision Application No. 2018-0-185
Sheran Carter
NE 16 & S ½ 21-6-30 W4M
 - c. Subdivision Application No. 2018-0-198
Huyvonto Farm Ltd.
SE 13-6-30 W4M
 - d. Subdivision Application No. 2018-0-199
Huyvonto Farm Ltd.
NE 13-6-30 W4M
- 6. New Business**
- 7. Next Regular Meeting** March 5, 2019; 6:00 pm
- 8. Adjournment**

Meeting Minutes of the Subdivision Authority
 Tuesday, November 6 2018; 600 pm
 MD of Pincher Creek No. 9 Administration Building

IN ATTENDANCE

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

1. ADOPTION OF AGENDA

Councillor Quentin Stevick 18/037

Moved that the Subdivision Authority Agenda for November 6, 2018, be approved as presented.

Carried

2. ADOPTION OF MINUTES

Councillor Terry Yagos 18/038

Moved that the September 4, 2018 Subdivision Authority Minutes, be approved as presented.

Carried

3. CLOSED MEETING SESSION

Councillor Rick Lemire 18/039

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 pm.

Carried

Councillor Terry Yagos 18/040

Moved that the Subdivision Authority open the meeting to the public, the time being 6:02 pm.

Carried

4. UNFINISHED BUSINESS

Nil

5. SUBDIVISION APPLICATION

- a. Subdivision Application No. 2018-0-147
Reinhold Michael Schmidt
SW 35-3-29 W4M

Councillor Bev Everts

18/041

Moved that the Country Residential subdivision of SW 35-3-29-W4M (Certificate of Title No. 141 272 517 +1), 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; 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
November 6, 2018

4. TELUS Communications Inc. has no objections to the following proposed application.
5. 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.
6. 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.
7. Please contact FortisAlberta land services at landserv@fortisalberta.com or by calling (403) 514-4783 for any questions.
8. Alberta Health Services – Michael Swystun, Executive Officer:
9. “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.”

Carried

6. NEW BUSINESS

Nil

7. NEXT MEETING – Tuesday, December 4, 2018; 6:00 pm.

8. ADJOURNMENT

Councillor Quentin Stevick 18/042

Moved that the meeting adjourn, the time being 6:04 pm.

Carried

Brian Hammond, Chair
Subdivision Authority

Sheldon Steinke, Interim Secretary
Subdivision Authority

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


OLDMAN RIVER REGIONAL SERVICES COMMISSION

DRAFT RESOLUTION

Our File: 2018-0-170

January 22, 2019

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

Dear Mr. Steinke:

RE: N1/2 20-6-1-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, Altagas Utilities Inc., AB Environment & Parks - K. Murphy, AB Environment & Parks – C. Bates, Area Wildlife Biologist - M. Didkowsky, AB Water Boundaries, AB Agriculture 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.**

u require any further information.

Gavin Scott
Senior Planner

GS/jm
Attachment

RESOLUTION

2018-0-170

M.D. of Pincher Creek No. 9 Agricultural subdivision of N1/2 20-6-1-W5M

THAT the Agricultural subdivision of N1/2 20-6-1-W5M (Certificate of Title No. 181 247 162, 181 247 162 +1), to create a 78.46 acre (31.75 ha) parcel and a 95.98 acre (38.84 ha) parcel from a 2 titles of 145 acres (58.7 ha) and 33 acres (13.4 ha) for agricultural 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.
3. That Certificate of Title 181247162 be consolidated with the adjacent portion of the NE20 6-1 W5M that lies south of the Oldman River in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.

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 Subdivision Authority is satisfied that with the consolidation, the proposed subdivision is suitable for the purpose for which the subdivision is intended and meets the intent of the subdivision policies of the municipality's land use bylaw.
4. The proposed subdivision complies with the M.D. of Pincher Creek subdivision policy R.21.

INFORMATIVE:

- (a) Since the proposed subdivision complies with Section 663(b) 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. does not have any objections to the above noted circulation.

- (e) Easements are required for this development. FortisAlberta will contact the developer to initiate the process of securing an easement for the proposed subdivision. FortisAlberta is requesting that the county defer its subdivision approval until such time as this easement process is complete and the developer has entered into an appropriate easement agreement with FortisAlberta and the easement has been properly registered with Land Titles (Alberta). FortisAlberta will notify once these steps have been completed and confirm to you that FortisAlberta no longer has any concerns with 's approval of this subdivision.

FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision and for the easement by contacting FortisAlberta at 310-WIRE (310-9473) to make application. Please contact FortisAlberta land services at landserv@fortisalberta.com or by calling (403) 514-4783 for any questions.

- (f) ATCO Gas has no existing Utility Right of Way on the subject property, or the existing Utility Right of Way is not sufficient for subdivision servicing.
- The landowner(s) is required to contact the ATCO Gas land agent listed below to execute a Utility Right of Way to the satisfaction of ATCO Gas.
 - Once the Utility Right of Way has been registered at the Alberta Land Titles Office we will notify the municipality of the same.

Interim Land Agent: Tyson Bosch

Phone: 403-330-8886

- (g) ATCO Pipelines has no objection.

- (h) Alberta Health Services – Mike Swystun, Executive Officer/Public Health Inspector:

“Alberta Health Services appreciates the opportunity to provide comments on the above noted subdivision application. From the information provided, Alberta Health Services does not object to the proposed subdivision.”

- (i) Alberta Environment & Parks – Cory Wojtowicz:

“AEP Lands Division has reviewed the following application. Please apply “Stepping Back from the Water Guidelines to this application.”

- (j) Alberta Environment & Parks – Operations Infrastructure Branch:

“Thank you for the opportunity to review this referral. AEP Operations Branch (OIB) does not have an interest in the land at this location and therefore, have no comments or concerns with this proposal.”

CHAIRMAN

DATE


OLDMAN RIVER REGIONAL SERVICES COMMISSION

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: November 26, 2018

Date of Receipt:

October 29, 2018

Date of Completeness:

November 16, 2018

TO: Landowner: Kenneth Gordon McRae & Barbara A McRae

Agent: Pierre Comeau, North & Company LLP

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, Altagas Utilities Inc., AB Health Services - Lethbridge, AB Environment & Parks - C. Wojtowicz, AB Environment & Parks - K. Murphy, AB Environment & Parks - C. Bates, AB Environment Operations Infrastructure Branch (OIB), Area Wildlife Biologist - M. Didkowsky, AB Water Boundaries, AB Agriculture, AER

Adjacent Landowners: Yagos Donald McRae, Travis McRae

Planning Advisor: Gavin Sco

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 **December 17, 2018**. (Please quote our File No. 2018-0-170 in any correspondence with this office).

File No.: 2018-0-170

Legal Description: N1/2 20-6-1-W5M

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

Land Designation: Agriculture - A
(Zoning)

Existing Use: Agricultural

Proposed Use: Agricultural

of Lots Created: 1

Certificate of Title: 181 247 162, 181 247 162 +1

Meeting Date: To be announced

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 78.46 acre (31.75 ha) parcel and a 95.98 acre (38.84 ha) parcel from 2 titles of 145 acres (58.7 ha) and 33 acres (13.4 ha) for agricultural use.

The proposal is to accommodate a realignment subdivision of two agricultural titles. Access to each parcel is presently granted from an undeveloped 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 surveyors sketch to illustrate lot dimensions and improve contours 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 Certificate of Title 181247162 be consolidated with the adjacent portion of the NE20 6-1 W5M that lies south of the Oldman River in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.

RESERVE:

- Municipal Reserve is not applicable pursuant to Section 663(b) of the MGA, as both parcels are greater than 40 acres and are to be used for agricultural purposes.

PROCESSING NOTES: No further comment pending a site inspection.

<p>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.</p>

**APPLICATION FOR SUBDIVISION
RURAL MUNICIPALITY**

FOR OFFICE USE ONLY	
Zoning (as classified under the Land Use Bylaw):	
Fee Submitted:	
APPLICATION SUBMISSION	
Date of Receipt:	
Date Deemed Complete: <u>Nov 16, 2018</u>	

1. CONTACT INFORMATION

Name of Registered Owner of Land to be Subdivided: Kenneth Gordon McRae & Barbara A McRae

Mailing Address: _____ Postal Code: T0K 1W0

Telephone: _____ Cell: _____ Fax: _____

Email: _____ Preferred Method of Correspondence: Email Mail

Name of Agent (Person Authorized to act on behalf of Registered Owner): Pierre Comeau, North & Company LLP

Mailing Address: Box 818, Pincher Creek AB Postal Code: T0K 1W0

Telephone: 403-627-4688 Cell: _____ Fax: 403- 627-3457

Email: _____ Preferred Method of Correspondence: Email Mail

Name of Surveyor: Thomas C. Penner, ALS brown okamura & associates ltd.

Mailing Address: Box 655 Lethbridge AB Postal Code: T1J 3Z4

Telephone: 403-329-4688 Ex. 28 Cell: _____ Fax: _____

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

2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

a. All/part of the NE ¼ Section 20 Township 1 Range 5 West of _____ 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: 57.22 hectares 142.6 acres

d. Total number of lots to be created: 2 Size of Lot(s): 31.75 ha & 25.97 ha (to be consolidated with ptn of NW1/4)

e. Rural Address (if applicable): _____

f. Certificate of Title No.(s): 181 247 162, 181 247 162 +1

3. LOCATION OF LAND TO BE SUBDIVIDED

a. The land is located in the municipality of MD of Pincher Creek

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. _____

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 Castle River

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

TO: BROWN, OKAMURA & ASS

FROM: ALTA Production

02:04MST

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CERTIFIED COPY OF
CERTIFICATE OF TITLE

LINC SHORT LEGAL
0020 762 340 5;1;6;20;NE

S

TITLE NUMBER: 181 247 162 +1
SEPARATION - LINC'S
DATE: 15/11/2018

AT THE TIME OF THIS CERTIFICATION

KENNETH GORDON MCRAE

AND
BARBARA A MCRAE

ARE THE OWNERS OF AN ESTATE IN FEE SIMPLE
OF AND IN

MERIDIAN 5 RANGE 1 TOWNSHIP 6
SECTION 20
THOSE PORTIONS OF THE NORTH EAST QUARTER
WHICH ARE NOT COVERED BY ANY OF THE WATERS
OF THE OLD MAN RIVER, AS SAID RIVER IS SHOWN
ON THE TOWNSHIP PLAN DATED 5 MARCH 1896
CONTAINING 145 ACRES MORE OR LESS

EXCEPTING THEREOUT ALL MINES AND MINERALS

SUBJECT TO THE ENCUMBRANCES, LIENS AND INTERESTS NOTIFIED BY MEMORANDUM UNDER-
WRITTEN OR ENDORSED HEREON, OR WHICH MAY HEREAFTER BE MADE IN THE REGISTER.

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
821 186 975	02/11/1982	UTILITY RIGHT OF WAY GRANTEE - ICG UTILITIES (PLAINS-WESTERN) LTD.

TO: BROWN, OKAMURA & ASS

FROM: ALTA Production

02:04MST

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PAGE 2

CERTIFICATE OF TITLE

TITLE NUMBER: 181 247 162 +1

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 15 DAY OF NOVEMBER ,2018



SUPPLEMENTARY INFORMATION

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
REFERENCE NUMBER:
141 161 864
TOTAL INSTRUMENTS: 001

TO: BROWN, OKAMURA & ASS

FROM: ALTA Production

02:04MST

Page 2/5



CERTIFIED COPY OF
CERTIFICATE OF TITLE

LINC SHORT LEGAL
0020 762 332 5;1;6;20;NW

S

TITLE NUMBER: 181 247 162
SEPARATION - LINC'S
DATE: 15/11/2018

AT THE TIME OF THIS CERTIFICATION

KENNETH GORDON MCRAE

AND
BARBARA A MCRAE

ARE THE OWNERS OF AN ESTATE IN FEE SIMPLE
OF AND IN

MERIDIAN 5 RANGE 1 TOWNSHIP 6
SECTION 20
THAT PORTION OF THE NORTH WEST QUARTER
WHICH LIES TO THE SOUTH OF THE OLD MAN RIVER
CONTAINING 33 ACRES MORE OR LESS

EXCEPTING THEREOUT ALL MINES AND MINERALS

SUBJECT TO THE ENCUMBRANCES, LIENS AND INTERESTS NOTIFIED BY MEMORANDUM UNDER-
WRITTEN OR ENDORSED HEREON, OR WHICH MAY HEREAFTER BE MADE IN THE REGISTER.

ENCUMBRANCES, LIENS & INTERESTS		
REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
821 186 975	02/11/1982	UTILITY RIGHT OF WAY GRANTEE - ICG UTILITIES (PLAINS-WESTERN) LTD.

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF
THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 15 DAY OF NOVEMBER , 2018



{ CONTINUED }

TO: BROWN, OKAMURA & ASS

FROM: ALTA Production

02:04MST

Page 3/5

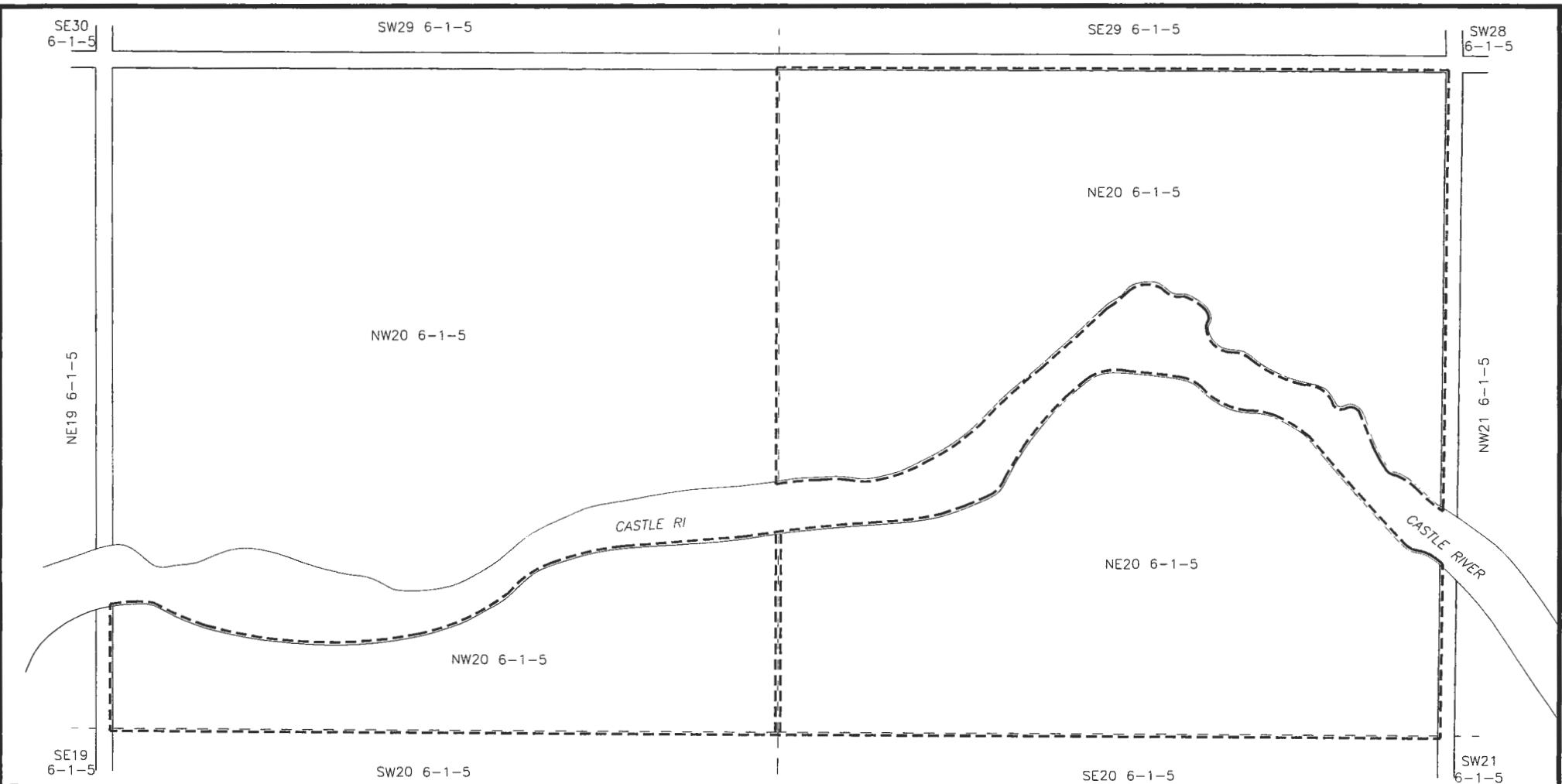
PAGE 2

CERTIFICATE OF TITLE

TITLE NUMBER: 181 247 162

SUPPLEMENTARY INFORMATION

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
REFERENCE NUMBER:
141 161 864
TOTAL INSTRUMENTS: 001



SUBDIVISION SKETCH - EXISTING

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 18-14358T

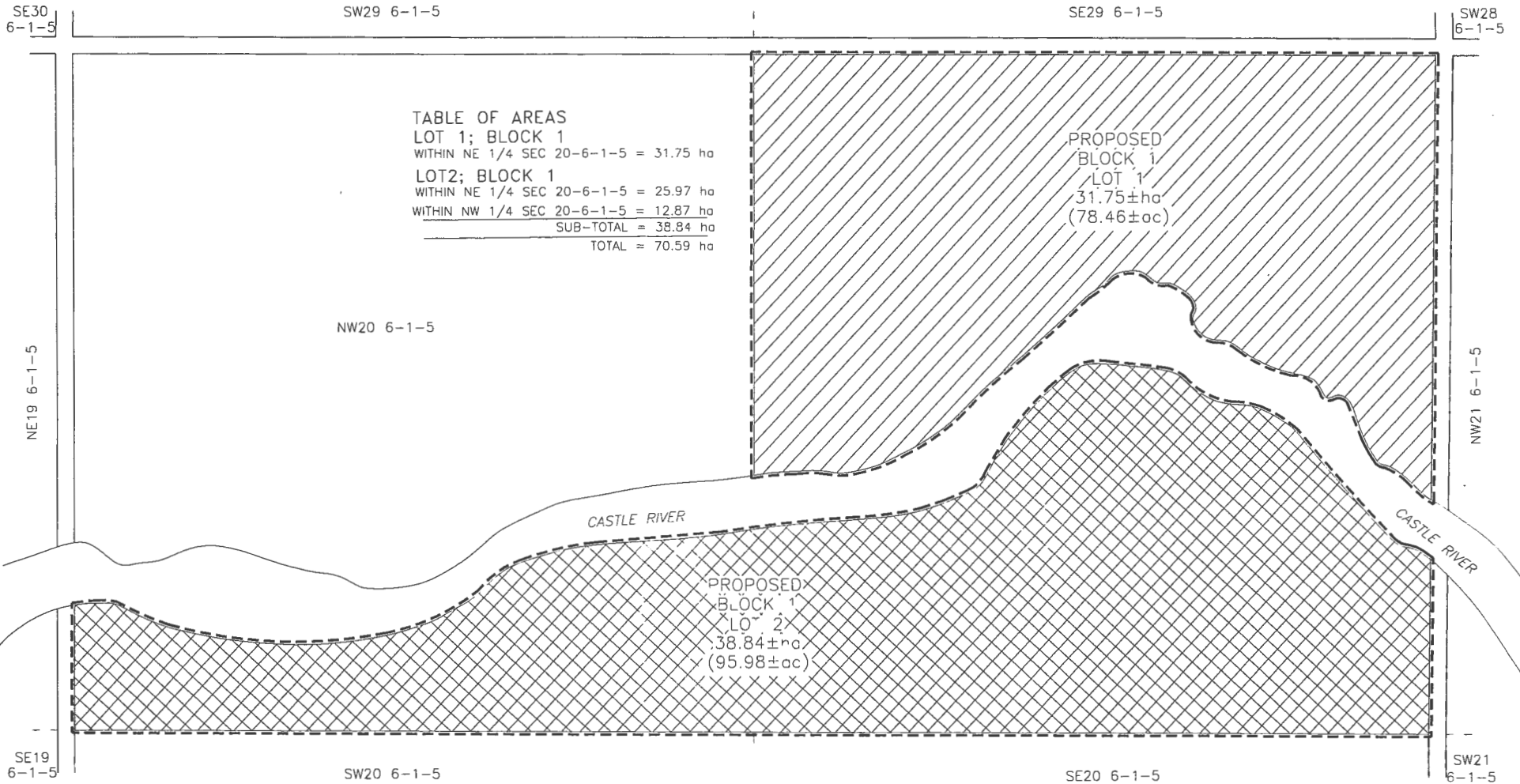
WITHIN NE & NW 1/4 SEC 20, TWP 6, RGE 1, W 5 M

MUNICIPALITY: M.D. PINCHER CREEK

DATE: NOVEMBER 1, 2018

FILE No: 2018-0-170





SUBDIVISION SKETCH - PROPOSED

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 18-14358T
 WITHIN NE & NW 1/4 SEC 20, TWP 6, RGE 1, W 5 M
 MUNICIPALITY: M.D. PINCHER CREEK
 DATE: NOVEMBER 1, 2018
 FILE No: 2018-0-170



S.W.1/4 SEC. 29 - 6 - 1 - 5

S.E.1/4 SEC. 29 - 6 - 1 - 5

GOVERNMENT ROAD ALLOWANCE

TABLE OF AREAS

LOT 1; BLOCK 1
 within N.E.1/4 Sec. 20-6-1-5= 31.75 ha.
 LOT 2; BLOCK 1
 within N.E.1/4 Sec. 20-6-1-5= 25.97 ha.
 within N.W.1/4 Sec. 20-6-1-5= 12.87 ha.
 sub-total= 38.84 ha.
 Total= 70.59 ha.

LOT 1
BLOCK 1
31.75 ha.
(78.46 Ac.)

N.E.1/4 SEC. 20 - 6 - 1 - 5

N.W.1/4 SEC. 20 - 6 - 1 - 5

Banks of Castle River
were digitized from Imagery
obtained through Online Map
Data Services via Autocad
Dated 24th, October, 2018

CASTLE RIVER

N.E.1/4 SEC. 20 - 6 - 1 - 5

LOT 2
BLOCK 1
38.84 ha.
(95.98 Ac.)

N.W.1/4 SEC. 20 - 6 - 1 - 5

S.W.1/4 SEC. 20 - 6 - 1 - 5

20

S.E.1/4 SEC. 20 - 6 - 1 - 5

N.E.1/4 SEC. 19 - 6 - 1 - 5

GOVERNMENT ROAD ALLOWANCE

N.W.1/4 SEC. 21 - 6 - 1 - 5

GOVERNMENT ROAD ALLOWANCE

N

NO.	REVISION	DATE	BY

NOTE : Portion to be approved is outlined thus -----
and contains approximately 70.59 ha.
Distances are in metres and decimal parts thereof.

Distances and areas are approximate and are
subject to change upon final survey.

NORTH & COMPANY LLP

TENTATIVE PLAN SHOWING SUBDIVISION
within
N.1/2 SEC. 20; TWP. 6; RGE. 1; W.5 M.

MUNICIPAL DISTRICT OF PINCHER CREEK No. 9



brown okamura & associates ltd.

Professional Surveyors
514 Stafford Drive, Lethbridge, Alberta

APPROVED T. C. Penner, A.L.S.	DRAWN	CJB	DATE	OCT. 24/18
	CHECKED	TCP	JOB	18-14358
	SCALE		DRAWING	18-14358T
		1:5000		

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

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



OLDMAN RIVER REGIONAL SERVICES COMMISSION

DRAFT RESOLUTION

Our File: 2018-0-185

January 22, 2019

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

Dear Mr. Steinke:

RE: NE1/4 16 & S1/2 21-6-30-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 Town of Pincher Creek, Mike Burla - Senior Planner, Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, Altagas Utilities Inc., AB Health Services - Lethbridge, AB Environment & Parks - C. Wojtowicz, AB Environment & Parks - K. Murphy, AB Environment & Parks - C. Bates, Area Wildlife Biologist - M. Didkowsky, AB Agriculture, Historical Resources Administrator 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

2018-0-185

M.D. of Pincher Creek No. 9 Urban Fringe subdivision of NE1/4 16 & S1/2 21-6-30-W4M

THAT the Urban Fringe subdivision of NE1/4 16 & S1/2 21-6-30-W4M (Certificate of Title No. 051 218 526 +1, 961 082 940 +8, 051 039 289 +1, 73A171A, 051 218 526, 051 039 304 +1), to create a 26.69 acre (10.80 ha) and a 46.44 acre (18.80 ha) parcel with legal road access from four existing titles containing approximately 73.5 acres (29.7 ha) in total for country residential/agricultural use; BE APPROVED subject to the following:

RESERVE:

Municipal Reserve is not applicable to proposed Lot 2 Block 2 pursuant to Section 663(b) of the MGA, as the parcel is greater than 40 acres and is to be used for agricultural purposes.

The payment of the applicable 10% Municipal Reserve on the 26.69 acre lot at \$2,500/acre is approximately \$6,672.50 with the actual amount (minus the Environment Reserve Easement acreage) to be determined at the final stage for Municipal Reserve purposes.

That, pursuant to Section 664 of the Municipal Government Act and the planning policies of the MD of Pincher Creek, a 20m environmental reserve easement described by a metes and bounds description be provided along the left bank of Pincher Creek for Environmental Reserve purposes prior to final approval.

And that the deferred reserve caveat (741026167) registered against the Title 051218526 and 051218526+1 be discharged in its entirety.

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 those portions of Certificate of Titles 051218526, 051218526+1, 051039304+1 and 051039289+1 be consolidated to create Lot 1 and 2 Block 2 according to BOA tentative plan18-14287T dated November 23, 2018 in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.
4. That the applicant submit to the Subdivision Authority a copy of a sketch from an Alberta Land Surveyor that certifies the location and dimensions of the water well and the exact dimensions of the lot to be subdivided.

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 Subdivision Authority is satisfied that with the consolidation, the proposed subdivision is suitable for the purpose for which the subdivision is intended and meets the intent of the subdivision policies of the municipality's land use bylaw.

4. The subdivision authority, in considering the written submission from William Thorpe, finds that the concerns are focused on private landowner to landowner agreements for access and are therefore outside the parameters of the subdivision requirements and policies pertaining to the proposal.
5. The proposed subdivision complies with the M.D. of Pincher Creek subdivision policy R.21.

INFORMATIVE:

- (a) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (b) 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.)
- (c) The requirement for Municipal Reserve on proposed Lot 1 Block 2 must be satisfied using Municipal District of Pincher Creek Policy 422. The MD assessor has provided a land value for the 26.69 acre (10.8 ha) being subdivided at \$2,500 /acre. Using the formula from Policy 422, the amount owing to satisfy the Municipal Reserve is \$6,672.50.
- (d) 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 Pincher Creek.
- (e) Municipal District of Pincher Creek No. 9 – Stu Weber, Public Works Superintendent:
“My main concerns with this is just that the access to the property is built properly. In the drawing it looks like there is a small extension on the road allowance for access to the new parcel. We need to verify that if this is going to be an extension to the road that it is built to spec as per policy 317. Otherwise we will need an acknowledgment in writing that the MD will only maintain the pre-existing road, not the extension.”
- (f) Municipal District of Pincher Creek No. 9 – David Cox, Chief of Pincher Creek Emergency Services:
“I have no issues with this development.”
- (g) TELUS Communications Inc. has no objections to the above noted circulation.
- (h) 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.
- (i) Alberta Transportation – John Thomas, Development/Planning Technologist:
“Reference your file to create two (2) boundary adjusted urban fringe lots 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, (“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, the lots to be created will be well removed from Highway 507 with indirect access to the highway being solely by way of the local road system. Moreover and whereas we had previously recommended to another party enquiring on behalf of the landowner that the current geometric design at the local road intersection of Highway 507 and Township Road 63A was inadequate to accommodate the traffic of a multiple parcel country residential development, this is merely a minor boundary adjustment that will incorporate the lot to be created with an existing urban fringe residential lot.

Given this, strictly from Alberta Transportation's point of view, we do not anticipate that the creation of the boundary adjusted urban fringe residential lot as proposed will 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).

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 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; however, given that development setbacks will be maintained by default and all access to the highway is indirect by way of the local road system, in this instance, a permit from Alberta Transportation will not be required, and development of the subject property could proceed under the direction, control, and management of the Municipal District of Pincher Creek No. 9 subdivision and development land use authority. The applicant could contact the undersigned, at Lethbridge 403-381-5426, 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."

(j) Alberta Environment & Parks – Susanne Lampier, Land Management Coordinator:

"Thank you for the opportunity to comment on this subdivision referral. Operations Infrastructure Branch does not have any concerns with the proposal."

(k) Alberta Environment & Parks – Ricardo Barbosa, Waterbody/Boundary Research Analyst:

"Thank you for the notification. Please be advised that the Crown owns the bed and shore of Pincher Creek by exception from the land titles. As such, any portion of its bed and shore located within the subdivided area should be excluded from private ownership."

(l) Alberta Environment & Parks – Caylee Knowles, Forest Officer – Land Management:

"Please follow recommendations in the "Stepping back from the water" guide and appendices for any new developments near waterbodies."

(m) Adjacent Landowner – William Thrope:

“Mr. Scott, As a follow up to my phone conversation with you, Sherran Carter and David Amantea of Okumura and Brown I wish to register my concerns regarding the subdivision with respect to protecting my access by easement across the NE of 16. I discussed with David Amantea that the drawings as shown are not accurate with respect to including the well and related electric and waterlines to the well intended to be included in Lot 1 Block 2. He advises that corrections will be made later in the spring. I am happy to assist with ground proving the locations as I know it if that helps. It certainly suggests cutting off the lower portion of the proposed Lot 2 Block 2 at the north boundary of NE 16 for simplicity but as long as my access easement across the lower portion of the peninsula on the traditional vehicle trail is protected my concerns will be addressed.”

CHAIRMAN

DATE


OLDMAN RIVER REGIONAL SERVICES COMMISSION

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: December 17, 2018

Date of Receipt: November 26, 2018

Date of Completeness: November 29, 2018

TO: Landowners: Sheran J. Carter, MD of Pincher Creek No. 9, Town of Pincher Creek, Hutterian Brethren of Pincher Creek as a Church

Agent or Surveyor: Thomas C. Penner, A.L.S.

Referral Agencies: M.D. of Pincher Creek No. 9, Town of Pincher Creek, Mike Turla - Senior Planner, Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, FortisAlberta, TELUS, Altagas Utilities Inc., AB Health Services - Lethbridge, AB Environment & Parks - C. Wojtowicz, AB Environment & Parks - K. Murphy, AB Environment Operations Infrastructure Branch (OIB), Area Wildlife Biologist - M. Didkowsky, AB Water Boundaries, AB Agriculture, AB Transportation, Historical Resources Administrator, AER

Adjacent Landowners: Leo and Moira Robbins, Richard and Lori Jo Ettenhofer, William E. Thorpe and William Paul Thorpe, Ivan and Sandy Chrapko, Brett and Tracey Fukumoto, Dan and Lori Bonertz Business and Laura Weatherill, Burt Reime

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 **January 7, 2019**. (Please quote our File No. **2018-0-185** in any correspondence with this office).

File No.: 2018-0-185

Legal Description: NE1/4 16 & S1/2 21-6-30-W4M

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

Land Designation: Urban Fringe - UF
(Zoning)

Existing Use: Urban Fringe

Proposed Use: Urban Fringe

of Lots Created: 2

Certificate of Titles: 051 218 526 +1, 961 082 940 +8, 051 039 289 +1, 73A171A,
051 218 526, 051 039 304 +1

Meeting Date: February 5, 2019

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 26.69 acre (10.80 ha) and a 46.44 acre (18.80 ha) parcel with legal road access from four existing titles containing approximately 73.5 acres (29.7 ha) in total for country residential/agricultural use.

The proposal is to accommodate a realignment subdivision of four titles. The largest one within the SE21 6-30 W4M contains an existing farmyard, which presently includes a dwelling, cabin, 2 barns, and number of other out-buildings. The existing residence is serviced by a septic system and domestic well.

Access to the SE21 6-30 W4M is presently granted from an existing driveway to the northwest, off of a developed road plan (8311326). The physical driveway crosses two other titles (within the SW21 6-30 W4M) and is currently protected by a registered right-of-way (9511920). This proposal will dedicate the right-of-way as road. An additional portion of road is being added from the eastern edge of Road Plan 8311326 toward the western edge of proposed Lot 2.

The separate title contained in NE16 6-30 W4M lying north of the left bank of Pincher Creek currently has no legal means of access. This proposal alleviates the situation.

In 1974 subdivision file 1973-0-137 split the SE21 and NE16 into 2 titles based on the bed and shore boundary of Pincher Creek. During that process a 10 foot strip of land on the left bank was taken as reserve. These 10' MD titles have in places been eroded through by the creek. This subdivision proposes to consolidate the 10 feet back into the proposed titles and replace it with an Environmental Reserve Easement which will move with the meanderings of the creek over time. The location of the creek will be reestablished by the surveyor as approved by Alberta Environment water boundaries division.

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 Transportation shall be established prior to finalization of the application.

7. That those portions of Certificate of Titles 051218526, 051218526+1, 051039304+1 and 051039289+1 be consolidated to create Lot 1 and 2 Block 2 according to BOA tentative plan18-14287T dated November 23, 2018 in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.
8. That, any conditions of Alberta Culture and Tourism, Historic Resources, shall be met prior to finalization.
9. With the dedication of a road plan for access, the right of way plan 9511920 (registration 951186703 and 951186704) may be discharged from their respective titles (73A171A and 961082940+8).

RESERVE:

- Municipal Reserve is not applicable to proposed Lot 2 Block 2 pursuant to Section 663(b) of the MGA, as the parcel is greater than 40 acres and is to be used for agricultural purposes.
- The payment of the applicable 10% Municipal Reserve on the 26.69 acre lot at \$2,500/acre is approximately \$6,672.50 with the actual amount (minus the Environment Reserve Easement acreage) to be determined at the final stage for Municipal Reserve purposes.
- That, pursuant to Section 664 of the Municipal Government Act and the planning policies of the MD of Pincher Creek, a 20m environmental reserve easement be provided along the left bank of Pincher Creek for Environmental Reserve purposes prior to final approval.
- And that the deferred reserve caveat (741026167) registered against the Title 051218526 and 051218526+1 be discharged in its entirety.

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.

OLDMAN RIVER REGIONAL SERVICES COMMISSION

APPLICATION FOR SUBDIVISION
RURAL MUNICIPALITY

FOR OFFICE USE ONLY	
Zoning (as classified under the Land Use Bylaw):	
Fee:	File No.:
APPLICATION SUBMISSION	
Date of Receipt:	Y:
Date Received Complete:	Y:
November 29, 2018	

1. CONTACT INFORMATION

Name of Registered Owner of Land to be Subdivided: Sheran J. Carter / The Municipal District of Pincher Creek No 9. &
 Mailing Address: _____ AB Postal Code: T0K 1W0
 Telephone: _____ Cell: _____ Fax: _____
 Email: sheran.carter@gmail.com Preferred Method of Correspondence: Email Mail

Name of Agent (Person Authorized to act on behalf of Registered Owner): David J. Amantea, ALS, P.Eng.
 Mailing Address: _____ Postal Code: _____
 Telephone: _____ Cell: _____ Fax: _____
 Email: _____ Preferred Method of Correspondence: Email Mail

Name of Surveyor: David J. Amantea, ALS, P.Eng brown okamura & associates ltd.
 Mailing Address: Box 655 Lethbridge AB Postal Code: T1J 3Z4
 Telephone: 403-329-4688 Ex. 29 Cell: _____ Fax: _____
 Email: d.amantea@bokamura.com Preferred Method of Correspondence: Email Mail

2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

a. All/part of the NE/S ¼ Section 16/21 Township 6 Range 30 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: 29.775 hectares 73.57 acres
 d. Total number of lots to be created: 2 Size of Lot(s): 10.802 ha / 18.795 ha
 e. Rural Address (if applicable): _____
 f. Certificate of Title No.(s): 051 218 526, 051 218 526 +1, 051 039 289 +1, 961 082 940 +8 and 73A171A

3. LOCATION OF LAND TO BE SUBDIVIDED

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

~~Does the land situate immediately adjacent to the municipal boundary?~~

~~Does the land situate immediately adjacent to the municipal boundary?~~

Is the land situated within 1.6 kilometres (1 mile) of the right-of-way of a highway? Yes No

Is the land situated within 1.6 kilometres (1 mile) of a river, stream, lake or ditch? Yes No

Is the land situated within 0.9 miles of a sour gas facility? Unknown Yes No

Is the land situated within 1.5 kilometres (1 mile) of a highway? If "yes", the adjoining municipality is _____

Does the proposed parcel contain or is it bounded by a river, stream, lake or ditch? If "yes" the highway is No. 501

Does the proposed parcel contain or is it bounded by a river, stream, lake or ditch? If "yes", state its name Pincher Creek

Is the proposed parcel within 1.5 kilometres (1 mile) of a highway? If "yes", state its name _____

4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED

Describe:

- a. Existing use of the land _____
- b. Proposed use of the land Property Line Adjustment

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.)
Grass
- 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.
Sketch
- 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

Describe:

- a. Existing source of potable water Water Well
- b. Proposed source of potable water No Charge

7. SEWER SERVICES

Describe:

- a. Existing sewage disposal: Type Septic Year Installed Late 90,s
- b. Proposed sewage disposal: Type No Change

8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF

I, David J. Amantea, ALS, P.Eng. (boa file: 18-14287) 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: _____

9. RIGHT OF ENTRY

I, _____ 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 of Registered Owner(s)



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0021 902 119 4;30;6;21;SE 051 218 526

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 30 TOWNSHIP 6
SECTION 21
THAT PORTION OF THE SOUTH HALF OF THE SOUTH EAST QUARTER
WHICH LIES TO THE NORTH OF THE PINCHER CREEK, AS SHOWN
ON THE TOWNSHIP PLAN APPROVED AT OTTAWA 15 JUNE 1910
CONTAINING 25.520 HECTARES (63.5 ACRES) MORE OR LESS
EXCEPTING THEREOUT:
A STRIP OF LAND 10 FEET WIDE ALONG THE NORTH BANK OF
PINCHER CREEK
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 941 255 383

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
051 218 526	20/06/2005	AFFIDAVIT OF SURVIVING JOINT TENANT		

OWNERS

SHERAN J CARTER

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
741 026 167	22/03/1974	CAVEAT

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
051 218 526 +1

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

CAVEATOR - THE OLDMAN RIVER REGIONAL PLANNING
COMMISSION.
DEFERRED RESERVE CAVEAT

921 326 716 23/12/1992 EASEMENT
OVER PORTION OF NE 16-6-30-W4 FOR
BENEFIT OF PORTION OF S 1/2 OF SE 21-6-30-W4

971 295 435 03/10/1997 EASEMENT
OVER PORTION OF NE 16-6-30-W4M FOR BENEFIT OF
PORTION OF NE 16-6-30-W4M

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 23 DAY OF
NOVEMBER, 2018 AT 02:42 P.M.

ORDER NUMBER: 36304584

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).



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0021 901 988 4;30;6;16;NE 051 218 526 +1

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 30 TOWNSHIP 6
SECTION 16
THAT PORTION OF THE NORTH EAST QUARTER
WHICH LIES TO THE NORTH OF THE PINCHER
CREEK, AS SHOWN ON THE TOWNSHIP PLAN
APPROVED AT OTTAWA 15 JUNE 1910
CONTAINING 5.706 HECTARES (14.9 ACRES) MORE OR LESS
EXCEPTING THEREOUT:
A STRIP OF LAND 10 FEET WIDE ALONG THE NORTH
BANK OF PINCHER CREEK
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 971 306 409

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
051 218 526	20/06/2005	AFFIDAVIT OF SURVIVING JOINT TENANT		

OWNERS

SHERAN J CARTER

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
741 026 167	22/03/1974	CAVEAT

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
051 218 526

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

CAVEATOR - THE OLDMAN RIVER REGIONAL PLANNING
COMMISSION.
DEFERRED RESERVE CAVEAT

741 044 270 10/05/1974 CAVEAT
CAVEATOR - FORTISALBERTA INC.
320-17 AVE SW
CALGARY
ALBERTA T2S2V1
(DATA UPDATED BY: TRANSFER OF CAVEAT
001342018)
(DATA UPDATED BY: CHANGE OF NAME 041458365)

921 326 716 23/12/1992 EASEMENT
OVER PORTION OF NE 16-6-30-W4 FOR
BENEFIT OF PORTION OF S 1/2 OF SE 21-6-30-W4

951 186 703 18/08/1995 EASEMENT
AS TO PORTION OR PLAN:9511920
ACCESS OVER IRR1405 FOR THE BENEFIT
OF 4;30;6;21;SE

951 186 704 18/08/1995 EASEMENT
AS TO PORTION OR PLAN:9511920
ACCESS; OVER 4;30;6;21;SW FOR THE BENEFIT
OF 4;30;6;21;SE

061 277 157 11/07/2006 MORTGAGE
MORTGAGEE - ROYAL BANK OF CANADA.
C/O 732 MAIN ST
PINCHER CREEK
ALBERTA T0K1W0
ORIGINAL PRINCIPAL AMOUNT:

TOTAL INSTRUMENTS: 006

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 23 DAY OF
NOVEMBER, 2018 AT 02:42 P.M.

ORDER NUMBER: 36304584

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 23 DAY OF
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ORDER NUMBER: 36304584

CUSTOMER FILE NUMBER:



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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
0021 484 457 4;30;6;21;SW 73A171A .

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 30 TOWNSHIP 6
SECTION 21
THAT PORTION OF THE SOUTH WEST QUARTER
WHICH IS REQUIRED FOR WATER WORKS
PURPOSES AS SHOWN ON PLAN IRR1405
CONTAINING 2.12 HECTARES (5.35 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

PLAN	NO.	ACRES MORE OR LESS
ROAD DIVERSION	8737HW	0.01

ALSO EXCEPTING THEREOUT PORTION OF THE ROAD ON PLAN 8311326
CONTAINING 0.025 HECTARE (0.062 ACRE) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
73A171A .	29/05/1947		\$3,934	REF. 951FR

OWNERS

THE TOWN OF PINCHER CREEK.
OF PINCHER CREEK
ALBERTA

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION	NUMBER	DATE (D/M/Y)	PARTICULARS
	821 189 012	04/11/1982	UTILITY RIGHT OF WAY GRANTEE - ALTAGAS UTILITIES INC. 5509-45TH ST

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
73A171A .

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

LEDOC
ALBERTA T9E6T6
(DATA UPDATED BY: CHANGE OF NAME 051004015)

951 186 703 18/08/1995 EASEMENT
AS TO PORTION OR PLAN:9511920
ACCESS OVER IRR1405 FOR THE BENEFIT
OF 4;30;6;21;SE

011 378 543 18/12/2001 ENCROACHMENT AGREEMENT
OVER PORTION OF SW 21-6-30-W4M FOR BENEFIT OF
PORTION OF SW 21-6-30-W4M

021 413 400 25/11/2002 EASEMENT
OVER SW 21-6-30-W4M FOR BENEFIT OF PLAN IRR1405
IN THE SW 21-6-30-W4M
(DATA UPDATED BY: 021413473)

081 116 606 01/04/2008 CAVEAT

TOTAL INSTRUMENTS: 005

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 23 DAY OF
NOVEMBER, 2018 AT 02:42 P.M.

ORDER NUMBER: 36304584

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

(CONTINUED)



LAND TITLE CERTIFICATE

S	LINC	SHORT LEGAL	TITLE NUMBER
	0026 696 575	4;30;6;21;NW	961 082 940 +8
	0021 504 544	4;30;6;21;SW	

LEGAL DESCRIPTION

FIRST

MERIDIAN 4 RANGE 30 TOWNSHIP 6

SECTION 21

QUARTER NORTH WEST

CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS

EXCEPTING THEREOUT:

	HECTARES	(ACRES)	MORE OR LESS
A) PLAN 9610777 ROAD	0.417	1.03	

EXCEPTING THEREOUT ALL MINES AND MINERALS

SECOND

MERIDIAN 4 RANGE 30 TOWNSHIP 6

SECTION 21

QUARTER SOUTH WEST

CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS

EXCEPTING:

FIRST

THAT PORTION OF THE SOUTH WEST QUARTER WHICH LIES TO

THE SOUTH EAST OF PLAN 8737HW, TO THE NORTH OF PLAN

8311326, AND TO THE WEST OF PLAN IRR1405

CONTAINING 1.83 HECTARES (4.52 ACRES) MORE OR LESS

SECONDLY:

PLAN	NUMBER	HECTARES (MORE OR LESS)	ACRES
WATER WORKS	IRR1405	2.16	5.35
ROAD DIVERSION	8737HW	2.85	7.04
ROAD DIVERSION	8311326	0.544	1.34

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 841 010 311 A .

REGISTERED OWNER(S)
REGISTRATION DATE(DMY) DOCUMENT TYPE VALUE CONSIDERATION

961 082 940 22/04/1996 ROAD PLAN

OWNERS

THE HUTTERIAN BROTHERS OF PINCHER CREEK AS A CHURCH.

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

771 122 042 06/09/1977 UTILITY RIGHT OF WAY
GRANTEE - THE TOWN OF PINCHER CREEK.

951 186 704 18/08/1995 EASEMENT
AFFECTED LAND: 4;30;6;21;SW
AS TO PORTION OR PLAN:9511920
ACCESS; OVER 4;30;6;21;SW FOR THE BENEFIT
OF 4;30;6;21;SE

961 086 097 25/04/1996 EASEMENT
AFFECTED LAND: 4;30;6;21;SW
OVER SW1/4 SEC. 21 - 6 - 30 - W4M FOR BENEFIT
OF PORTION OF NW1/4 SEC. 16 - 6 - 30 - W4M

971 054 289 24/02/1997 EASEMENT
AFFECTED LAND: 4;30;6;21;SW
OVER SW 21-6-30-W4 FOR BENEFIT OF PORTION OF
LEGAL SUBDIVISION 7 IN THE SE 21-6-30-W4

001 162 065 15/06/2000 UTILITY RIGHT OF WAY
GRANTEE - THE TOWN OF PINCHER CREEK.
AFFECTED LAND: 4;30;6;21;SW

021 413 400 25/11/2002 EASEMENT
AFFECTED LAND: 4;30;6;21;SW
OVER SW 21-6-30-W4M FOR BENEFIT OF PLAN IRR1405
IN THE SW 21-6-30-W4M
(DATA UPDATED BY: 021413473)

131 202 408 15/08/2013 MORTGAGE
MORTGAGEE - THE TORONTO DOMINION BANK.
UNIT 156, 200-4TH AVE S
LETHBRIDGE

(CONTINUED)

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

ALBERTA T1J4C9

ORIGINAL PRINCIPAL AMOUNT: .

141 152 063 18/06/2014 AMENDING AGREEMENT
AFFECTS INSTRUMENT: 131202408

TOTAL INSTRUMENTS: 008

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 23 DAY OF
NOVEMBER, 2018 AT 02:42 P.M.

ORDER NUMBER: 36304584

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).

NW21 6-30-4 NE21 6-30-4 1₉ 0011901 1₈ 0011901 1₁₇ 0614102

TABLE OF AREAS

LOT 1; BLOCK 2

WITHIN N.E.1/4 Sec. 16-6-30-4 = 3.508 ha. (TITLE NO.: 051 218 526 +1)
 WITHIN N.E.1/4 Sec. 16-6-30-4 = 0.125 ha. (TITLE NO.: 051 039 289 +1)
 WITHIN S.E.1/4 Sec. 21-6-30-4 = 6.837 ha. (TITLE NO.: 051 218 526)
 WITHIN S.E.1/4 Sec. 21-6-30-4 = 0.332 ha. (TITLE NO.: 051 039 304 +1)
 sub-total=10.802 ha.

LOT 2; BLOCK 2

WITHIN N.E.1/4 Sec. 16-6-30-4 = 1.898 ha. (TITLE NO.: 051 218 526 +1)
 WITHIN N.E.1/4 Sec. 16-6-30-4 = 0.047 ha. (TITLE NO.: 051 039 289 +1)
 WITHIN S.E.1/4 Sec. 21-6-30-4 = 16.524 ha. (TITLE NO.: 051 218 526)
 WITHIN S.E.1/4 Sec. 21-6-30-4 = 0.326 ha. (TITLE NO.: 051 039 304 +1)
 sub-total=18.795 ha.

ROAD (TITLE NO.: 732171A)

WITHIN S.W.1/4 Sec. 21-6-30-4 = 0.019 ha. (TITLE NO.: 961 082 940 +8)
 WITHIN S.W.1/4 Sec. 21-6-30-4 = 0.020 ha. (TITLE NO.: 051 218 526)
 WITHIN S.E.1/4 Sec. 21-6-30-4 = 0.139 ha.
 sub-total= 0.178 ha.
 Total=29.775 ha.

LOT 3
9410318

SW21 6-30-4 9010663

8311320
County R/W (2311920)

SW21 6-30-4

IRR1405
WATER WORKS
PURPOSES

9610805

1₁
0510428

(0810656)
COUNTY R/W

NW16 6-30-4

1₂
1711434

SE16 6-30-4

SW15 6-30-4

ROADWAY 8737HW

ROAD

PROPOSED LOT 1
BLOCK 2
10.80±ha
(26.69±ac)

PROPOSED LOT 2
BLOCK 2
18.80±ha
(46.44±ac)

PINCHER CREEK

PINCHER CREEK

WATERLINE R/W (0510430)

TOWN OF PINCHER CREEK

ROAD ALLOWANCE

0411155

NW15-6-30-4

7911171

NE16 6-30-4

SUBDIVISION SKETCH - PROPOSED

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 18-14287P
 PORTIONS OF NE 1/4 SEC 16 & SE 1/4 SEC 21, TWP 6, RGE 30, W 4 M
 MUNICIPALITY: M.D. OF PINCHER CREEK
 DATE: DECEMBER 3, 2018
 FILE No: 2018-0-185

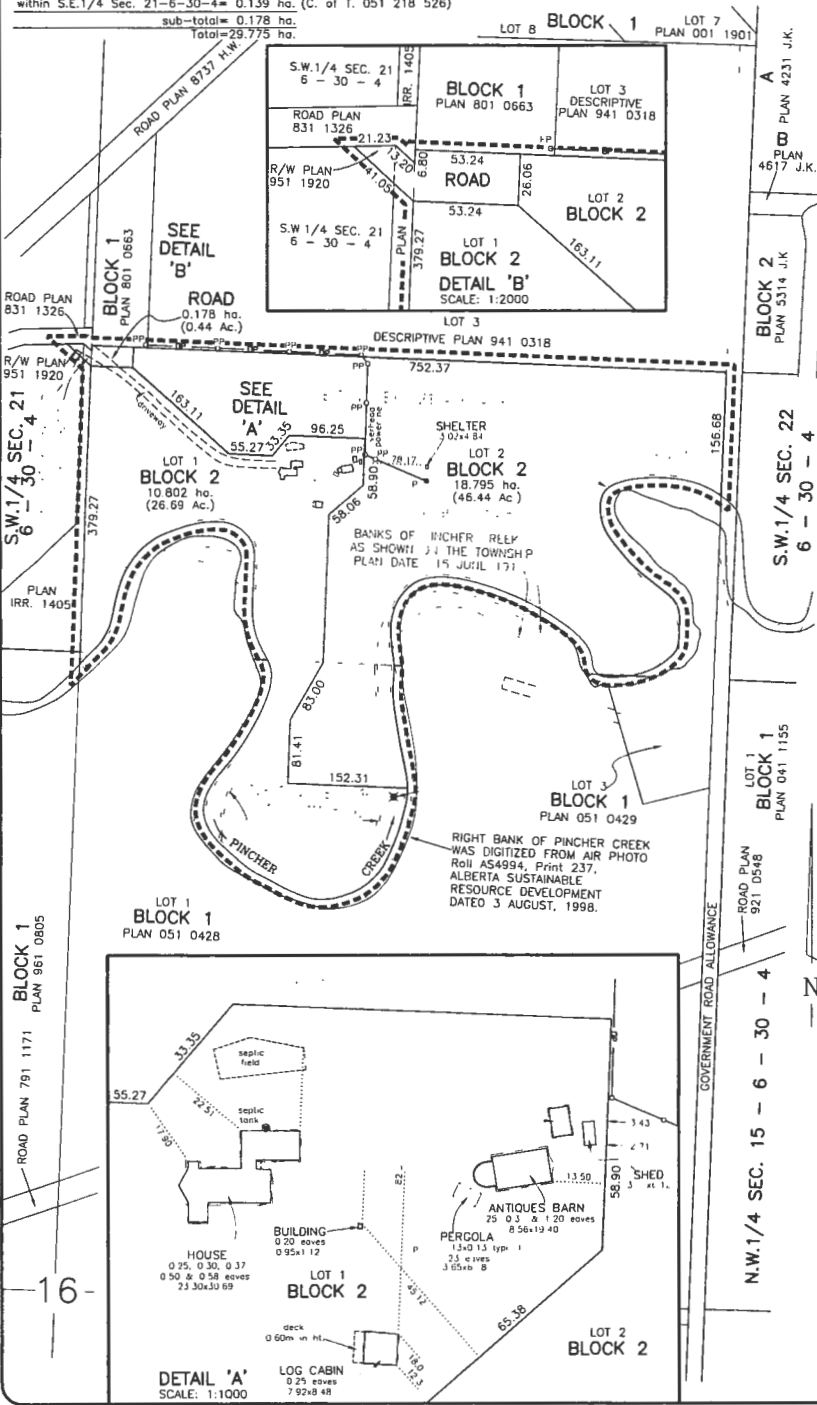


TABLE OF AREAS

LOT 1: BLOCK 2
 within N.E.1/4 Sec. 16-6-30-4= 3.508 ha (C. of T. 051 218 526 +1)
 within N.E.1/4 Sec. 16-6-30-4= 0.125 ha (C. of T. 051 039 289 +1)
 within S.E.1/4 Sec. 21-6-30-4= 6.837 ha (C. of T. 051 218 526)
 within S.E.1/4 Sec. 21-6-30-4= 0.332 ha (C. of T. 051 039 304 +1)
 sub-total=10.802 ha.

LOT 2: BLOCK 2
 within N.E.1/4 Sec. 16-6-30-4= 1.898 ha (C. of T. 051 218 526 +1)
 within N.E.1/4 Sec. 16-6-30-4= 0.047 ha (C. of T. 051 039 289 +1)
 within S.E.1/4 Sec. 21-6-30-4= 15.524 ha (C. of T. 051 218 526)
 within S.E.1/4 Sec. 21-6-30-4= 0.326 ha (C. of T. 051 039 304 +1)
 sub-total=18.795 ha.

ROAD
 within S.W.1/4 Sec. 21-6-30-4= 0.019 ha (C. of T. 732171A)
 within S.W.1/4 Sec. 21-6-30-4= 0.020 ha (C. of T. 961 082 940 +8)
 within S.E.1/4 Sec. 21-6-30-4= 0.139 ha (C. of T. 051 218 526)
 sub-total= 0.178 ha.
 Total=29.775 ha.



brown okamura & associates ltd.

APPROVED

DRAWN: CJB
 CHECKED: DJA
 SCALE: 1:5000

DATE: NOV. 23/18
 JOB: 18-14287
 DRAWING: 18-14287T

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

SHERAN CARTER

TENTATIVE PLAN SHOWING SUBDIVISION of part of N.E.1/4 SEC. 16 & S.1/2 SEC. 21 all within TWP. 6, RGE. 30; W.4 M. MUNICIPAL DISTRICT OF PINCHER CREEK No. 9

NO.	REVISION	DATE	BY
1	Added C. of T. 051 039 289 +1	12/12/18	CJB

Improvements shown were surveyed on November 8th, 2018 and contains approximately 29.775 ha. Distances are in metres and decimal parts thereof. Overhead line is shown thus PP stands for utility pole. Distances and areas are approximate and are subject to change upon final survey.

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



OLDMAN RIVER REGIONAL SERVICES COMMISSION

DRAFT RESOLUTION

Our File: 2018-0-198

January 22, 2019

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

Dear Mr. Steinke:

RE: NE1/4 13-6-30-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 Town of Pincher Creek, Mike Burla - Senior Planner, Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, FortisAlberta, Altagas Utilities Inc., AB Health Services - Lethbridge, AB Environment & Parks - K. Murphy, Area Wildlife Biologist - M. Didkowsky, AB Agriculture 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.**

you require any further information.

Gavin Scott
Senior Planner

GS/jm
Attachment

RESOLUTION

2018-0-198

M.D. of Pincher Creek No. 9 Agricultural subdivision of NE1/4 13-6-30-W4M

THAT the Agricultural subdivision of NE1/4 13-6-30-W4M (Certificate of Title No. 071 073 488 +1, 071 073 488 +2), to create two 79.77 acre (32.28 ha) parcels from two titles of 80 acres (32.4 ha) for agricultural 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 complies with the M.D. of Pincher Creek subdivision policy R.21.

INFORMATIVE:

- (a) Since the proposed subdivision complies with Section 663(b) 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) M.D. of Pincher Creek No. 9 – David Cox, Chief of Pincher Creek Emergency Services:
“I have no issues with this development.”
- (e) TELUS Communications Inc. has no objections to the above circulation.
- (f) Alberta Transportation – John Thomas, Development/Planning Technologist:

“Reference your file to create two (2) boundary adjusted agricultural lots at the above noted location.

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 network.

To that end, the proposal is to continue using the parcels to be created for agricultural purposes. As such, this application is in accordance with Section 14(a) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002 (“the regulation”).

As this application complies with said Section 14(a) and access to the proposed parcel of land and the remnant title is to be solely by a means other than a highway, Section 15(3) of the regulation applies.

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 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; however, given that development setbacks will be maintained by default and all access to the highway is indirect by way of the municipal district's local road system, in this instance, a permit from the department will not be required, and development of the subject property could proceed under the direction, control, and management of the Municipal District of Pincher Creek No.9 subdivision and development land use authority. The applicant could contact the undersigned, at Lethbridge 403-381-5426, in this regard.

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."

CHAIRMAN

DATE


OLDMAN RIVER REGIONAL SERVICES COMMISSION

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: January 7, 2019

Date of Receipt:

December 12, 2018

Date of Completeness:

December 14, 2018

TO: Landowner: Huyvonto Farm Ltd.

Agent or Surveyor: David J. Amantea, A.L.S.

Referral Agencies: M.D. of Pincher Creek No. 9, Bev Everts, Town of Pincher Creek, Mike Burla - Senior Planner, Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, FortisAlberta, TELUS, Altagas Utilities Inc., AB Health Services - Lethbridge, AB Environment & Parks - K. Murphy, Area Wildlife Biologist - M. Didkowsky, AB Agriculture, AB Transportation, AER

Adjacent Landowners: Glen Ferguson, Lloyd Sproule, Ronald and Beatrice Harder, The Church of God in Christ Men

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 **January 28, 2019**. (Please quote our File No. 2018-0-198 in any correspondence with this office).

File No.: 2018-0-198

Legal Description: NE1/4 13-6-30-W4M

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

Land Designation: Agriculture - A
(Zoning)

Existing Use: Agricultural

Proposed Use: Agricultural

of Lots Created: 2

Certificate of Title: 071 073 488 +1, 071 073 488 +2

Meeting Date: February 5, 2019

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 two 79.77 acre (32.28 ha) parcels from two titles of 80 acres (32.4 ha) for agricultural use.

The proposal is to accommodate a realignment subdivision two existing titles. The current orientation only provides access one of the lots from an existing approach to the east, off of a developed municipal road allowance. The reorientation will assure compliance with Part 2 Section 9(a) of the Subdivision and Development Regulation which requires that each subdivision provide direct access to a road.

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 Transportation shall be established prior to finalization of the application.

RESERVE:

- Municipal Reserve is not applicable pursuant to Section 663(b) of the MGA, as the parcels are greater than 40 acres and are to be used for agricultural 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.

OLDMAN RIVER REGIONAL SERVICES COMMISSION

APPLICATION FOR SUBDIVISION
RURAL MUNICIPALITY

FOR OFFICE USE ONLY
Zoning (as classified under the Land Use Bylaw):
Fee Submitted:
APPLICATION SUBMISSION

1. CONTACT INFORMATION

Name of Registered Owner of Land to be Subdivided: Huyvonto Farm Ltd.
Mailing Address: ... AB Postal Code: T1J 1S9
Telephone: ... Cell: ... Fax: ...
Email: ... Preferred Method of Correspondence: Email [] Mail []
Name of Agent (Person Authorized to act on behalf of Registered Owner): David J. Amantea, ALS, P.Eng.
Mailing Address: ... Postal Code: ...
Telephone: ... Cell: ... Fax: ...
Email: ... Preferred Method of Correspondence: Email [] Mail []
Name of Surveyor: David J. Amantea, ALS, P.Eng brown okamura & associates ltd.
Mailing Address: Box 655 Lethbridge AB Postal Code: T1J 3Z4
Telephone: 403-329-4688 Ex. 29 Cell: ... Fax: ...
Email: d.amantea@bokamura.com Preferred Method of Correspondence: Email [x] Mail []

2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

a. All/part of the NE 1/4 Section 13 Township 6 Range 30 West of 4 Meridian (e.g. SE1/4 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: 64.56 hectares 159.53 acres
d. Total number of lots to be created: 2 Size of Lot(s): 16.15 Ha, 16.13 Ha
e. Rural Address (if applicable): ...
f. Certificate of Title No.(s): 071 073 488+2 & 071 073 488+1

3. LOCATION OF LAND TO BE SUBDIVIDED

a. The land is located in the municipality of MD of Pincher Creek
b. Is the land situated immediately adjacent to the municipal boundary? Yes [x] No []
If "yes", the adjoining municipality is Town of Pincher Creek
c. Is the land situated within 1.6 kilometres (1 mile) of the right-of-way of a highway? Yes [x] 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 [x]
If "yes", state its name ...
e. Is the proposed parcel within 1.5 kilometres (0.93 miles) of a sour gas facility? Unknown [x] Yes [] No []



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0020 296 654 4;30;6;13;NE 071 073 488 +1

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 30 TOWNSHIP 6
SECTION 13
THE EAST HALF OF THE NORTH EAST QUARTER
CONTAINING 32.4 HECTARES (80 ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 071 073 157 +1

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
071 073 488	13/02/2007	TRANSFER OF LAND		SEE INSTRUMENT

OWNERS

HUYVONTO FARM LTD.

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION	DATE (D/M/Y)	PARTICULARS
NUMBER		

NO REGISTRATIONS

TOTAL INSTRUMENTS: 000

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 1 DAY OF
NOVEMBER, 2018 AT 03:03 P.M.

ORDER NUMBER: 36181033

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).



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0020 296 951 4;30;6;13;NE 071 073 488 +2

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 30 TOWNSHIP 6
SECTION 13
THE WEST HALF OF THE NORTH EAST QUARTER
CONTAINING 32.4 HECTARES (80 ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 071 073 157 +2

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
071 073 488	13/02/2007	TRANSFER OF LAND		SEE INSTRUMENT

OWNERS

HUYVONTO FARM LTD.

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS

NO REGISTRATIONS

TOTAL INSTRUMENTS: 000

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
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OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

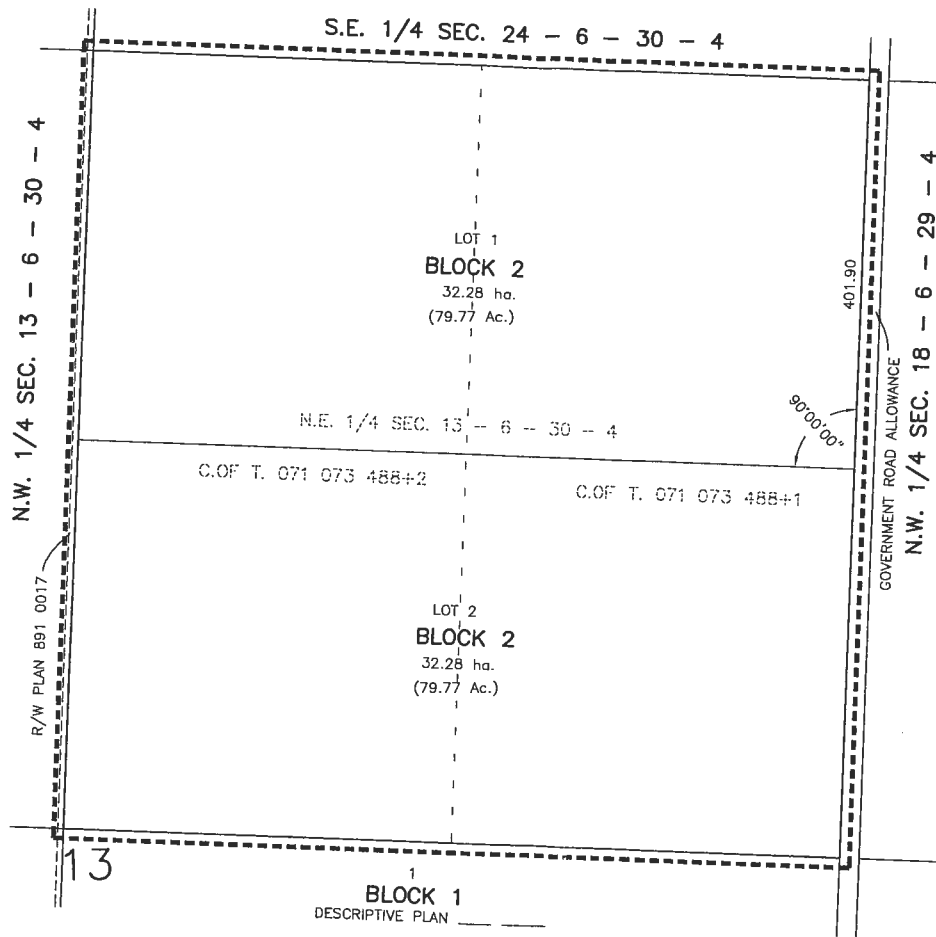


TABLE OF AREAS

LOT 1, BLOCK 2
 within N.E.1/4 SEC.13-6-30-4(C.of.T. 071 073 488+1) = 16.13 ha
 within N.E.1/4 SEC.13-6-30-4(C.of.T. 071 073 488+2) = 16.15 ha
 SUBTOTAL = 32.28 ha

LOT 2, BLOCK 2
 within N.E.1/4 SEC.13-6-30-4(C.of.T. 071 073 488+1) = 16.15 ha
 within N.E.1/4 SEC.13-6-30-4(C.of.T. 071 073 488+2) = 16.13 ha
 SUBTOTAL = 32.28 ha
 TOTAL = 64.56 ha



NO.	REVISION	DATE	BY


NOTE : Portion to be approved is outlined thus and contains approximately 64.56 ha. Distances are in metres and decimal parts thereof.

Distances and areas are approximate and are subject to change upon final survey.

HUYVONTO FARM LTD.

TENTATIVE PLAN SHOWING SUBDIVISION
 of
 N.E.1/4 SEC. 13; TWP. 6; RGE. 30; W.4 M.

M.D. of Pincher Creek No. 9



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

APPROVED	DRAWN MJ	DATE NOV 30/18
D.J. Amantea, A.L.S.	1:5000	JOB 18-14376B
	SCALE	DRAWING
		18-14376TB


*OLDMAN RIVER REGIONAL SERVICES COMMISSION***DRAFT RESOLUTION**

Our File: 2018-0-199

January 22, 2019

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

Dear Mr. Steinke:

RE: SE1/4 13-6-30-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, Altagas Utilities Inc., AB Health Services - Lethbridge, AB Environment & Parks - K. Murphy, Area Wildlife Biologist - M. Didkowsky, AB Agriculture 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.**

If you require any further information.

Gavin Scott
Senior Planner

GS/jm
Attachment

RESOLUTION

2018-0-199

M.D. of Pincher Creek No. 9 Agricultural subdivision of SE1/4 13-6-30-W4M

THAT the Agricultural subdivision of SE1/4 13-6-30-W4M (Certificate of Title No. 071 073 488 +5, 071 073 488 +3), to create a 79.81 acre (32.30 ha) parcel and a 75.81 acre (30.68 ha) parcel from two titles of 80 acres (32.4 ha) and 76.5 acres (30.96ha) for agricultural use; BE APPROVED subject to the following:

RESERVE:

That the Municipal Reserve deferred by caveat for 2.99 acres be paid and that the deferred reserve caveat (951107338) registered against the Title 071073488+5 be discharged in its entirety.

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 complies with the M.D. of Pincher Creek subdivision policy R.21.

INFORMATIVE:

- (a) Since the proposed subdivision complies with Section 663(b) of the Municipal Government Act, Reserve is not required on the two agricultural parcels.
- (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) The requirement for Municipal Reserve on Lot 1 Plan 9511152 must be satisfied using Municipal District of Pincher Creek Policy 422. The MD assessor has provided a land value for the 2.99 acre (1.21 ha) being subdivided at \$2,500 /acre. Using the formula from Policy 422, the amount owing to satisfy the Municipal Reserve is \$747.50.
- (e) M.D. of Pincher Creek No. 9 – David Cox, Chief of Pincher Creek Emergency Services:
“I have no issues with this development.”
- (f) TELUS Communications Inc. has no objections to the above circulation.

- (g) 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.

- (h) Alberta Transportation – John Thomas, Development/Planning Technologist:

“Reference your file to create two (2) boundary adjusted agricultural lots at the above noted location.

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 network.

To that end, the proposal is to continue using the lots to be created for agricultural purposes. As such, this application is in accordance with Section 14(a) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002 (“the regulation”).

As this application complies with said Section 14(a) and access to the lot to be created and the remnant title is to be solely by a means other than a highway, Section 15(3) of the regulation applies.

Notwithstanding that currently the application complies with said Section 15(3), the applicant is advised that no direct access to the highway will be allowed as a result of this application.

Moreover, 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 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 additional 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 stipulated 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 the department through the undersigned, at Lethbridge 403-381-5426, 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.”

CHAIRMAN

DATE


OLDMAN RIVER REGIONAL SERVICES COMMISSION

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: January 7, 2019

Date of Receipt: December 12, 2018

Date of Completeness: December 18, 2018

TO: Landowner: Huyvonto Farm Ltd.

Agent or Surveyor: David J. Amantea, 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, Altagas Utilities Inc., AB Health Services - Lethbridge, AB Environment & Parks - K. Murphy, Area Wildlife Biologist - M. Didkowsky, AB Agriculture, AB Transportation, AER

Adjacent Landowners: Lloyd Sproule, Glen Ferguson, Kelly and Joanne Toews, Lloyd Sproule, Mitchell Gorgichuk, Robert and Beverly Barr, Ronald and Beatrice Harder, The Church of God in Christ Mennon and Patricia Cyr

Planning Advisor: Gavin Scot

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 **January 28, 2019**. (Please quote our File No. 2018-0-199 in any correspondence with this office).

File No.: 2018-0-199

Legal Description: SE1/4 13-6-30-W4M

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

Land Designation: Agriculture - A
(Zoning)

Existing Use: Agricultural

Proposed Use: Agricultural

of Lots Created: 1

Certificate of Title: 071 073 488 +5, 071 073 488 +3

Meeting Date: February 5, 2019

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 79.81 acre (32.30 ha) parcel and a 75.81 acre (30.68 ha) parcel from two titles of 80 acres (32.4 ha) and 76.5 acres (30.96ha) for agricultural use.

The proposal is to accommodate a realignment subdivision of two existing titles. Access to the easterly lot is presently granted from an existing approach to the east, off of a developed municipal road allowance. The proposal would ensure the westerly lot takes access from the municipal road allowance rather than Highway 507.

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 Transportation shall be established prior to finalization of the application.

RESERVE:

- Municipal Reserve is not applicable pursuant to Section 663(b) of the MGA, as both parcels are greater than 40 acres and are to be used for agricultural purposes.
- That the Municipal Reserve deferred by caveat for 2.99 acres be paid and that the deferred reserve caveat (951107338) registered against the Title 071073488+5 be discharged in its entirety.

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.

TA



APPLICATION FOR SUBDIVISION RURAL MUNICIPALITY

FOR OFFICE USE ONLY	
Zoning (as classified under the Land Use Bylaw):	
Fee Submitted: \$1350	File No: 2018-0-199
APPLICATION SUBMISSION	
Date of Receipt: December 12, 2018	Accepted By:
Date Deemed Complete: December 18, 2018	Accepted By: <i>[Signature]</i>

1. CONTACT INFORMATION

Name of Registered Owner of Land to be Subdivided: Huyvonto Farm Ltd.
 Mailing Address: _____ Postal Code: _____

Email: _____ Preferred Method of Correspondence: Email Mail

Name of Agent (Person Authorized to act on behalf of Registered Owner): David J. Amantea, ALS, P.Eng.

Mailing Address: _____ Postal Code: _____

Telephone: _____ Cell: _____ Fax: _____

Email: _____ Preferred Method of Correspondence: Email Mail

Name of Surveyor: David J. Amantea, ALS, P.Eng brown okamura & associates ltd.

Address: Box 655, Lethbridge, AB Postal Code: T1A 0Z3 Telephone: 403-329-4688 Cell: 403-329-4688 Fax: _____

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

DESCRIPTION OF LAND TO BE SUBDIVIDED

of the SE ¼ Section 13 Township 6 Range 30 West of 4 Meridian (e.g. SE¼ 36-1-36-W4M)

Area of existing parcel of land (to be subdivided) is: 62.98 hectares 155.63 acres

Number of lots to be created: 2 Size of Lot(s): 16.15 Ha (x2)

Address (if applicable): _____

Date of Title No.(s): 071 073 488+3 & 071 073 488+5

LOCATION OF LAND TO BE SUBDIVIDED

is located in the municipality of MD of Pincher Creek

is situated immediately adjacent to the municipal boundary? Yes No

the adjoining municipality is _____

is situated within 1.6 kilometres (1 mile) of the right-of-way of a highway? Yes No

the highway is No. 507

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

is the proposed parcel within 1.5 kilometres (0.93 miles) of a sour gas facility? Unknown Yes No

e. Is the proposed parcel within 1.5 kilometres (0.93 miles) of a sour gas facility? _____

2. LEGAL DESCRIPTION

- a. All/part of the land
- b. Being part of a larger parcel
- c. Total area of the land
- d. Total number of lots
- e. Rural Area
- f. Certification

3. LOCATION

- a. The land is situated
- b. Is the land adjacent to the municipal boundary?
- c. Is the land within 1.6 kilometres (1 mile) of 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?

4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED

Describe:

- a. Existing use of the land Farmland
- b. Proposed use of the land Realign Boundaries of Farmland

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.)
Crop
- 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.
- 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

Describe:

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

7. SEWER SERVICES

Describe:

- a. Existing sewage disposal: Type None Year Installed _____
- b. Proposed sewage disposal: Type None

8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF

David J. Amantea, ALS, P.Eng. (18-14376-TA) 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: Dec 11/18

9. RIGHT OF ENTRY

I, W. J. Amantea 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)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
071 073 488 +5

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

NO. 9.
BOX 279, PINCHER CREEK
ALBERTA T0K1W0

971 225 105 05/08/1997 UTILITY RIGHT OF WAY
GRANTEE - CENTRA GAS ALBERTA INC.

071 073 489 13/02/2007 EASEMENT
OVER AND FOR BENEFIT: SEE INSTRUMENT

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 1 DAY OF
NOVEMBER, 2018 AT 03:03 P.M.

ORDER NUMBER: 36181033

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).



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0020 296 968 4;30;6;13;SE 071 073 488 +3

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 30 TOWNSHIP 6
SECTION 13
THE WEST HALF OF THE SOUTH EAST QUARTER
CONTAINING 32.4 HECTARES (80 ACRES) MORE OR LESS
EXCEPTING THEREOUT:
PLAN NUMBER HECTARES ACRES
ROAD WIDENING 6756 HB 0.20 0.50
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 071 073 157 +3

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
071 073 488	13/02/2007	TRANSFER OF LAND		SEE INSTRUMENT

OWNERS

HUYVONTO FARM LTD.

ENCUMBRANCES, LIENS & INTERESTS		
REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
071 073 489	13/02/2007	EASEMENT OVER AND FOR BENEFIT: SEE INSTRUMENT

TOTAL INSTRUMENTS: 001

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 1 DAY OF
NOVEMBER, 2018 AT 03:03 P.M.

ORDER NUMBER: 36181033

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OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

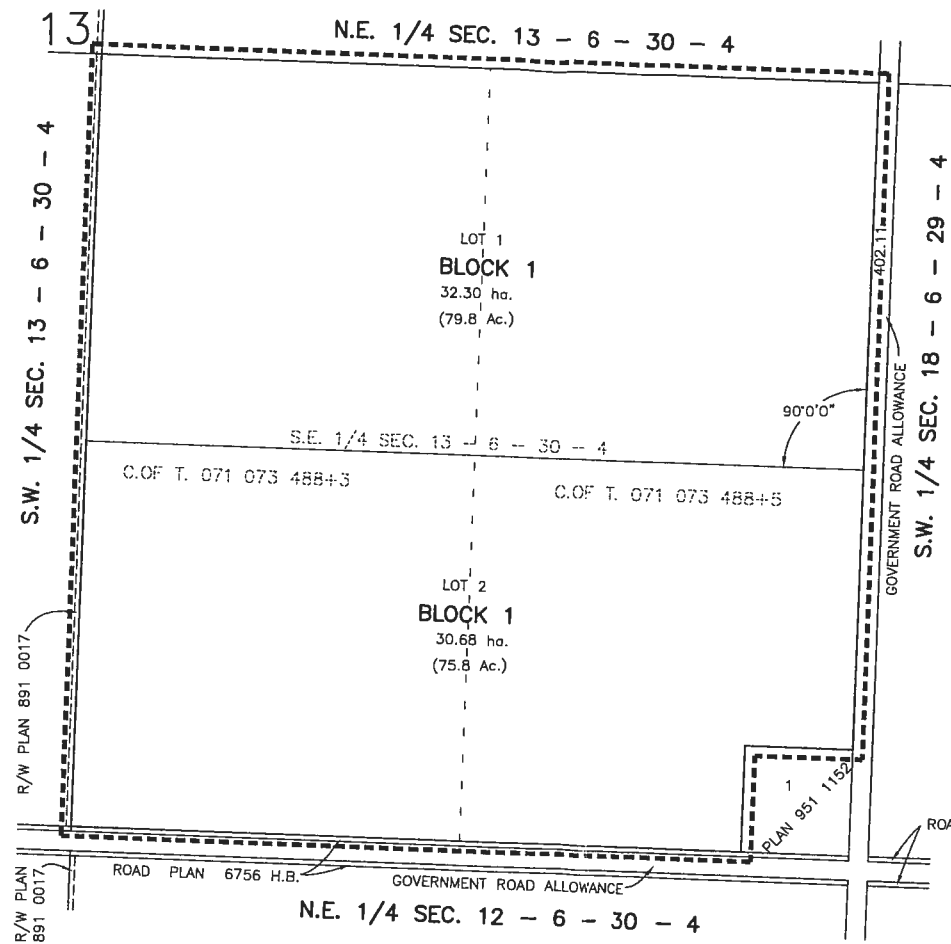


TABLE OF AREAS

LOT 1, BLOCK 1
 within S.E.1/4 SEC.13-6-30-4(C.off. 071 073 488+3) = 16.15 ha
 within S.E.1/4 SEC.13-6-30-4(C.off. 071 073 488+5) = 16.15 ha
 SUBTOTAL = 32.30 ha

LOT 2, BLOCK 1
 within S.E.1/4 SEC.13-6-30-4(C.off. 071 073 488+3) = 15.94 ha
 within S.E.1/4 SEC.13-6-30-4(C.off. 071 073 488+5) = 14.74 ha
 SUBTOTAL = 30.68 ha
 TOTAL = 62.98 ha



NO.	REVISION	DATE	BY


NOTE : Portion to be approved is outlined thus and contains approximately 62.98 ha. Distances are in metres and decimal parts thereof.

Distances and areas are approximate and are subject to change upon final survey.

HUYVONTO FARM LTD.

TENTATIVE PLAN SHOWING SUBDIVISION
 of part of
 S.E.1/4 SEC. 13; TWP. 6; RGE. 30; W.4 M.

M.D. of Pincher Creek No. 9



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

APPROVED

D.J. Amantea, A.L.S.

DRAWN MJ	DATE NOV 30/18
CHECKED DJA	JOB 18-14376A
SCALE	DRAWING
1:5000	18-14376TA