

**Meeting Minutes of the Subdivision Authority**  
**Tuesday, November 1, 2022**  
**6:00 pm**  
**MD of Pincher Creek No. 9**

**IN ATTENDANCE**

Members: Reeve Rick Lemire, Councillors Harold Hollingshead, Dave Cox, Tony Bruder and John MacGarva

Staff: Chief Administrative Officer Roland Milligan, Assistant Planning and Development Officer Laura McKinnon

Planning  
Advisors: ORRSC, Senior Planner Gavin Scott

Absent:

**COMMENCEMENT**

Reeve Rick Lemire called the meeting to order, the time being 6:04 pm.

**1. ADOPTION OF AGENDA**

Councillor John MacGarva 22/027

Moved that the Subdivision Authority Agenda for November 1, 2022, be approved as presented.

Carried

**2. ADOPTION OF MINUTES**

Councillor Tony Bruder 22/028

Moved that the September 3, 2022, Subdivision Authority Minutes, be approved as presented.

Carried

**3. CLOSED MEETING SESSION**

Councillor Dave Cox 22/029

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 6:04 pm.

Carried

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Councillor Harold Hollingshead

22/030

Moved that the Subdivision Authority open the meeting to the public, the time being 6:31 pm.

Carried

**4. UNFINISHED BUSINESS**

Nil

**5. SUBDIVISION APPLICATIONS**

- a. Subdivision Application No. 2022-0-146  
Darren Taylor Harvesting Inc. J Smyth Farms Ltd  
W ½ 20-7-1 W5M

Councillor Dave Cox

22/031

THAT the Agricultural subdivision of W1/2 20-7-1-W5M (Certificate of Title No. 191 049 524, 191 092 512), to create a 299.07 (121.03 ha) and a 14.90 acre (6.03 ha) parcel from two titles of 155.01 acres (62.7 ha) and 158.79 (64.26 ha) respectively for natural resource extraction and 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 and comply with 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 the remaining acreage around the quarry within the SW20 7-1 W5M be consolidated with the adjacent Certificate of Title 191092512 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 with waiver complies with both the Municipal Development Plan and Land Use Bylaw.

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2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 9 of the Matters Related to Subdivision and Development Regulation.
3. 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.
4. 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.
5. The proposed subdivision complies with the M.D. of Pincher Creek subdivision policy 18.22.

**b.** Subdivision Application No. 2022-0-153  
Richard & Christina Wyatt  
NW 4-8-1 W5

Councillor Harold Hollingshead

22/032

THAT the Agricultural and Country Residential subdivision of NW1/4 4-8-1-W5M (Certificate of Title No. 991 034 520), to create a 13.83 acre (5.60 ha) parcel from a title of 80 acres (32.4 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 and comply with 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 proposed Lot 1 be reduced in size to 5.87 acres (2.38 ha) sufficient to accommodate existing buildings, structures, and improvements and that the reduction be reflected on the final plan of survey for review at endorsement prior to registration at land titles.

**REASONS:**

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and with waiver complies with both the Municipal Development Plan and Land Use Bylaw.

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2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 9 of the Matters Related to Subdivision and Development Regulation.
3. The Subdivision Authority was unwilling to grant a parcel size waiver as the land north of the dugout does not meet the requirements of Municipal Development Plan (Bylaw 1330-21) policy 18.19 (c). The 5.87 acres represents the improvement area from the southern property line to just north of the dugout which is considered the last improvement that could be captured and still meet M.D. subdivision policy.
4. With the parcel size reduction, the proposed subdivision complies with the M.D. of Pincher Creek subdivision policy 18.19.

**6. NEW BUSINESS**

Nil

7. **NEXT MEETING** – Tuesday, December 6<sup>th</sup>, 2022; 6:00 pm.

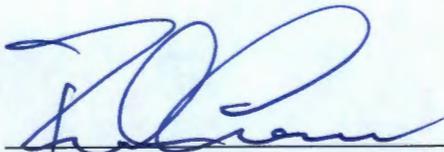
**8. ADJOURNMENT**

Councillor Dave Cox

22/033

Moved that the meeting adjourn, the time being 6:34 pm.

Carried



Rick Lemire, Chair  
Subdivision Authority



Roland Milligan, Secretary  
Subdivision Authority