

Meeting Minutes of the Subdivision Authority
Tuesday, September 5, 2023
5:30 pm
MD of Pincher Creek Council Chambers

IN ATTENDANCE

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

Staff: Chief Administrative Officer Roland Milligan, Development Officer Laura McKinnon

Planning
Advisors: ORRSC, Senior Planner Diane Horvath

Absent: ORRSC, Senior Planner Gavin Scott

COMMENCEMENT

Chairman Rick Lemire called the meeting to order, the time being 5:30 pm.

1. ADOPTION OF AGENDA

Councillor Dave Cox 23/021

Moved that the Subdivision Authority Agenda for September 5, 2023, be approved as presented.

Carried

2. ADOPTION OF MINUTES

Councillor Tony Bruder 23/022

Moved that the June 6, 2023, Subdivision Authority Minutes, be approved as presented.

Carried

3. CLOSED MEETING SESSION

Councillor Harold Hollingshead 23/023

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 5:31 pm.

Carried

Councillor Harold Hollingshead 23/024

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

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Carried

4. UNFINISHED BUSINESS

Nil

5. SUBDIVISION APPLICATIONS

- a. Subdivision Application No. 2023-0-078
Lynne Rhodes
NE 33-4-28 W4

Councillor Tony Bruder

23/025

THAT the Country Residential subdivision of NE1/4 33-4-28-W4M (Certificate of Title No. 041 347 775), to create a 2.16 acre (0.875 ha) parcel from a previously unsubdivided quarter section of 157.88 acres (63.89 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, the proposed lot be increased in size to meet the required minimum lot size of 1.2 ha (3.0 acres).

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.
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 proposed subdivision complies with the M.D. of Pincher Creek subdivision policy 18.16.

- b. Subdivision Application No. 2023-0-087
Zoratti Ranches

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SW 15-6-1 W5

Councillor Dave Cox

23/026

THAT the Country Residential subdivision of SW1/4 15-6-1-W5M (Certificate of Title No. 151 311 422), to create a 13.58 acre (5.49 ha) parcel from a previously unsubdivided quarter section of 160 acres (64.7 ha) for country residential use; BE APPROVED subject to the following:

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the *Municipal Government Act*, all outstanding property taxes shall be paid to the M.D. of Pincher Creek No. 9.
2. That, pursuant to Section 655(1)(b) of the *Municipal Government Act*, the applicant or owner or both enter into 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.

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.
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 proposed subdivision complies with the M.D. of Pincher Creek subdivision policy 18.16.
4. Alberta Transportation has authorized the Subdivision Authority to vary the requirements of Section 19 of the Matters Relating to Subdivision and Development Regulation to accommodate the proposal.
5. 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.

- c. Subdivision Application No. 2023-0-094
Nature Conservancy of Canada
E 17-4-29 W4

Councillor John MacGarva

23/027

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THAT the Country Residential subdivision of E1/2 17-4-29-W4M (Certificate of Title No. 221 150 855 +3), to create a 10.40 acre (4.21 ha) parcel from a previously unsubdivided quarter section of 160 acres (64.7 ha) and a portion of the adjoining quarter section to the north for country residential use; BE APPROVED subject to the following:

RESERVE:

That the Deferred Reserve Caveats 3678LS and 3679LS be discharged in their 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 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.

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.
 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 proposed subdivision complies with the M.D. of Pincher Creek subdivision policy 18.16.
 4. Alberta Transportation has authorized the Subdivision Authority to vary the requirements of Section 19 of the Matters Relating to Subdivision and Development Regulation to accommodate the proposal.
 5. 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.
- d. Subdivision Application No. 2023-0-104
David McNeill & Linda Farley
Lot 24, Block 14, Plan 8810351 within W ½ 10-6-2 W5

Councillor Dave Cox

23/028

THAT the Residential subdivision of Lot 24, Block 14, Plan 8810351 within W ½ 10-6-2 W5 (Certificate of Title No. 991 113 228), to create a 0.11 acre (0.046 ha) parcel from a

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title of 0.47 acres (0.19 ha) for hamlet 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 the proposed parcel shall be increased in size to 464.5 m² (5000ft²) as required by land use district Hamlet Single-Detached Residential 1 – HR-1.

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.
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, in considering the written submissions from citizens of Beaver Mines finds that the concerns regarding the lot size have been addressed through condition 3. In considering the written submissions regarding the concerns about the driveway access have been addressed through condition 2. Further the Subdivision Authority finds that the new lot line is only slightly out of alignment and that the introduction of the lot in this area does not set a precedent for future decisions which will be dealt with on a case by case basis.
4. With the requirement of condition 3, the proposed subdivision complies with the M.D. of Pincher Creek subdivision policy 18.30.

6. NEW BUSINESS

Nil

7. NEXT MEETING – Tuesday, October 3rd, 2023; 6:00 pm.

8. ADJOURNMENT

Councillor Tony Bruder

23/029


Moved that the meeting adjourn, the time being 6:33 pm.

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Carried



Rick Lemire, Reeve
Subdivision Authority



Laura McKinnon, Secretary
Subdivision Authority