

Meeting Minutes of the Subdivision Authority
Tuesday, October 7th 2025
6:00 pm
MD of Pincher Creek Council Chambers

IN ATTENDANCE

Members: Reeve Rick Lemire, Councillors Tony Bruder, Dave Cox, Jim Welsch and John MacGarva,

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

Planning Advisors: ORRSC, Senior Planner Gavin Scott and ORRSC, Assistant Planner Skylar Nikkel

Absent:

COMMENCEMENT

Reeve Rick Lemire called the meeting to order, the time being 6:00 pm.

1. ADOPTION OF AGENDA

Councillor Dave Cox 25/029

Moved that the Subdivision Authority Agenda for October 7, 2025, be approved as presented.

2. ADOPTION OF MINUTES

Councillor Jim Welsch 25/030

Moved that the September 2, 2025, Subdivision Authority Minutes, be approved as presented.

Carried

3. CLOSED MEETING SESSION

Councillor John MacGarva 25/031

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 6:00 pm.

Carried

Councillor Jim Welsch 25/032

Moved that the Subdivision Authority open the meeting to the public, the time being 6:29 pm.

Carried

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4. UNFINISHED BUSINESS

a. Subdivision Application No. 2025-0-127
Shawn Boese & Derrick Sproule
SE 18-5-29 W4

Councillor Tony Bruder

25/033

THAT the Agricultural and Country Residential subdivision of SE1/4 18-6-29-W4M (Certificate of Title No. 241 192 705, 251 153 744 +25), to create a 30.59 acre (12.38 ha) parcel from two titles of 129.86 acres (52.55 ha) and 29.52 acres (11.95 ha) respectively, 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 1.06 acre (0.43 ha) portion of Certificate of Title 251153744+25 be consolidated with the adjacent Certificate of Title 241192705 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 comply with the requirements of Alberta Transportation and Economic Corridors as listed under RPATH0053899 whereby a road side development permit be obtained prior to endorsement of the final plan of survey.

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 9 of the *Matters Related to 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 18.22.
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.
6. Alberta Transportation has authorized the Subdivision Authority to vary the requirements of Sections 19 of the *Matters Related to Subdivision and Development Regulation* to accommodate the proposal.

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5. SUBDIVISION APPLICATIONS

a. Subdivision Application No. 2025-0-132

Alan Michalsky, Lucas Michalsky and Lucas Weatherbee
SW 24-6-2 W5

Councillor Dave Cox

25/034

THAT the Agricultural and Country Residential subdivision of SW1/4 27-6-2-W5M (Certificate of Title No. 221 093 894), to create an 89.13 acre (36.07 ha) lot and a 33.63 acre (13.61 ha) lot from a title of 122.76 acres (49.68 ha) for country residential and agricultural use; BE APPROVED subject to the following:

RESERVE:

1. That The 10% reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on the 33.63 acres at the market value of \$4,800 per acre with the actual acreage and amount to be paid to the MD of Pincher Creek be determined at the final stage, for Municipal Reserve Purposes.

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 applicant is responsible, at their expense, for carrying out any requirements of the provincial Historical Resources Administrator with respect to the Historical Resources Act prior to endorsement of the plan of subdivision.

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 9 of the *Matters Related to Subdivision and Development Regulation*.
3. The subdivision authority, in considering the written submission from Alan Petrone finds that the concerns are focused on his existing titles and future development processes. The concerns are therefore outside the parameters of the subdivision policies pertaining to the proposal.
4. The proposed subdivision complies with the M.D. of Pincher Creek subdivision policy 18.20.
5. Alberta Transportation has authorized the Subdivision Authority to vary the requirements of Sections 18 and 19 of the *Matters Related to Subdivision and Development Regulation* to accommodate the proposal.

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b. Subdivision Application No. 2025-0-135
Kenneth Lewis & Dorothy Lewis
Road Plan 2151 AZ and SW 27-4-30 W4

Councillor Tony Bruder 25/035

THAT the Country Residential subdivision of Road Plan 2151 AZ & SW1/4 27-4-30-W4M (Certificate of Title No. 761 057 591), to create a 4.89 acre (1.978 ha) parcel from a previously unsubdivided quarter section of 159 acres (64.3 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 residual portion of Road Plan 2151AZ be consolidated with the SW27 4-30 W4M in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.
4. That the revised Road location be dedicated and registered with this plan.

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 9 of the *Matters Related to Subdivision and Development Regulation*.
3. The Subdivision Authority, in considering the written submission from Calvin and Gayle Walper finds that the concerns are focused on the existing and future development approvals, and are therefore outside the parameters of the subdivision policies pertaining to the proposal.
4. 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 18.16.

c. Subdivision Application No. 2025-0-142
Theresa Hann, Stewart Hann, Justin Thompson & Kate Thompson
NW 21-7-2 W5

Councillor John MacGarva 25/036

THAT the Agricultural and Country Residential subdivision of NW1/4 21-7-2-W5M (Certificate of Title No 971 125 139 +4, 241 024 054, 991 366 506), to reconfigure three

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existing titles to create a 6.65 acre (2.693 ha) parcel for grouped country residential use and a 45.48 acre (18.404 ha) parcel 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 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 portion of Certificate of Title 971125139+4 (as depicted in BOA tentative plan file 25-16802) be consolidated with the adjacent Certificate of Title 241024054 in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.
4. That portion of Certificate of Title 971125139+4 (as depicted in BOA tentative plan file 25-16802) be consolidated with the adjacent Certificate of Title 991366506 in a manner such that the resulting Certificate of Title could not be subdivided without the approval of the Subdivision Authority.
5. That the applicant is responsible, at their expense, for carrying out any requirements of the provincial Historical Resources Administrator with respect to the Historical Resources Act prior to endorsement of the plan of subdivision.

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 9 of the *Matters Related to Subdivision and Development Regulation*.
3. The proposed subdivision complies with the M.D. of Pincher Creek subdivision policy 18.22.
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.

6. NEW BUSINESS

Nil

7. NEXT MEETING – Tuesday, November 4th, 2025; 6:00 pm.

8. ADJOURNMENT

Councillor Dave Cox

25/037

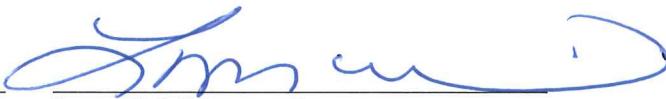
Moved that the meeting adjourn, the time being 6:31 pm.

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Carried



Rick Lemire, Reeve
Subdivision Authority



Laura McKinnon, Secretary
Subdivision Authority