OLDMAN RIVER REGIONAL SERVICES COMMISSION

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

Phone: (403) 329-1344
Toll-Free: 1-844-279-760
E-mail: subdivision@orrsc.com
Website: www.orrsc.com

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: January 6, 2020

Date of Receipt: December 6, 2019
Date of Completeness: December 10, 2019

TO: **Landowner:** Stephen William Marchbank and Susan Eva May Marchbank and Brian John Marchbank and Candida Felice Marchbank

Agent or Surveyor: Absolute Surveys

Referral Agencies: M.D. of Willow Creek No. 26, Ian Sundquist, Livingstone Range School Division, AltaLink, FortisAlberta, TELUS, ATCO Gas, ATCO Pipelines, AB Health Services - Calgary, AB Environment & Parks - K. Murphy, AB Agriculture, Historical Resources Administrator, AER

Adjacent Landowners: Hutt. Br. Church of Parkland, Brent & Decoda Schuler, Jordan & Bradley Glaicar

Planning Advisor: Mike Burla MB

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 Willow Creek No. 26. 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 27, 2020**. (Please quote our File No. **2019-0-175** in any correspondence with this office).

File No.:	**2019-0-175**
Legal Description:	Lot 2, Plan 8910762 within N1/2 29-14-28-W4M
Municipality:	M.D. of Willow Creek No. 26
Land Designation: *(Zoning)*	Rural General - RG
Existing Use:	Agricultural
Proposed Use:	Agricultural
# of Lots Created:	1
Certificate of Title:	191 209 762 +1

Meeting Date:	**February 26, 2020** *Note that meeting dates are subject to change. It is advisable to contact the M.D. of Willow Creek No. 26 three (3) days prior to the meeting for times and to confirm that this application is on the agenda.* *If you wish to make a presentation at the subdivision authority meeting, please notify the M.D. of Willow Creek No. 26 Municipal Administrator at your earliest convenience.*

Planner's Preliminary Comments:

This proposal would subdivide an existing 232.75 acre title to create two smaller agricultural parcels of 123.75 and 109.0 acres respectively. There is an extensive history attached to this property being the N 1 /2 29-14-29-W4M dating back to 1981 when the land was originally owned by the Water's family. An original subdivision for a 20.0 acre farmstead was reduced in size to 3.0 acres on an appeal, by the Alberta Planning Board. The balance of the N1/2 29-14-29-W4M was subsequently subdivided to create an 80.0 and a 237 .0 acre parcel in 1987 which was approved by the regional planning commission. The existing three acre (3.0) parcel was realigned in 1988 and subsequently enlarged to 5.0 acres in 2019.

As the two quarter sections (NW & NE) have been previously subdivided, it is questionable if the MD's Subdivision Authority will allow any further subdivision on these parcels. The applicant has submitted a proposal which will ultimately require a decision with respect to this matter.

The Subdivision Authority is requested to consider the following when rendering decision on this application:

1. Payment of any outstanding property taxes to the M.D. of Willow Creek No. 26.
2. Provision of a development agreement with the M.D. of Willow Creek No. 26.
3. Pertinent comments and information provided by adjacent landowners and by referral agencies.
4. Waivers of the 140.0 acre minimum agricultural parcel size.

RESERVE:

Municipal Reserve is not applicable as the parcels are greater than 40.0 acre for agricultural purposes as per Section 663(b) of MGA.

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

FOR OFFICE USE ONLY	
Zoning (as classified under the Land Use Bylaw):	
Fee Submitted: $1025.00	File No: 2019-0-175
APPLICATION SUBMISSION	
Date of Receipt: December 6, 2019	Accepted By:
Date Deemed Complete: December 10, 2019.	Accepted By:

APPLICATION FOR SUBDIVISION
RURAL MUNICIPALITY

1. CONTACT INFORMATION

Name of Registered Owner of Land to be Subdivided: Stephen Susan BJ and Candi Marchbau

Mailing Address: _____ Postal Code: _

Telephone Cell: _ _____ Fax: _____

Emai Preferred Method of Correspondence: Email ☑ Mail ☐

Name of Agent *(Person Authorized to act on behalf of Registered Owner)*: _____

Mailing Address: _____ Postal Code: _____

Telephone: _____ Cell: _____ Fax: _____

Email: _____ Preferred Method of Correspondence: Email ☑ Mail ☐

Name of Surveyor: Absolute Surveys _____

Mailing Address: _ _____ Postal Code: _

Telephone: _____ Cell: _____ Fax: _____

Email: _ ____ Preferred Method of Correspondence: Email ☑ Mail ☐

2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

a. All/part of the NE ½ Section 29 Township 14 Range 28 West of 4 Meridian *(e.g. SE¼ 36-1-36-W4M)*

b. Being all/part of: Lot/Unit 2 Block 2 Plan 8910762

c. Total area of existing parcel of land (to be subdivided) is: 95 hectares 234.75 acres

d. Total number of lots to be created: 2 Size of Lot(s): Parcel #1 122 acres M/L Parcel #2 112 M

e. Rural Address (if applicable): 144002 Range Road 284

f. Certificate of Title No.(s): 191 209 762 +1

3. LOCATION OF LAND TO BE SUBDIVIDED

a. The land is located in the municipality of MD of Willow 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 _____

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

4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED

Describe:

a. Existing use of the land Hobby farm, run cattle & horses

b. Proposed use of the land As above

5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED

a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) Mixed

b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.)
Native grass land & hay

c. Describe the kind of soil on the land (sandy, loam, clay, etc.) mixed loam & sandstone

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.
Both properties have there own wells, septic, Roads, Homes & Out buildings

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 Both Propertys have its own well existing.

b. Proposed source of potable water

7. SEWER SERVICES

Describe:

a. Existing sewage disposal: Type Septic Year Installed 2010. other ?

b. Proposed sewage disposal: Type

8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF

I Susan Marchbank 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: Dec 2/2019

9. RIGHT OF ENTRY

I, _____ do ☑ / do not ☐ (please check one) authorize representatives of the C ı 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
0038 458 428	8910762;;2	191 209 762 +1

LEGAL DESCRIPTION

PLAN 8910762
LOT 2
CONTAINING 95 HECTARES(234.75 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	(ACRES) MORE OR LESS
SUBDIVISION	1912034	0.809	2.00

EXCEPTING THEREOUT ALL MINES AND MINERALS

ATS REFERENCE: 4;28;14;29;N
ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26

REFERENCE NUMBER: 191 209 698 +1

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION

---

191 209 762 15/10/2019 SUBDIVISION PLAN

OWNERS

STEPHEN WILLIAM MARCHBANK

AND
SUSAN EVA MAY MARCHBANK

AS JOINT TENANTS AS TO AN UNDIVIDED 83% INTEREST

BRIAN JOHN MARCHBANK

AND
CANDIDA FELICE MARCHBANK

(CONTINUED)

ALBERTA T0L 1Z0
AS JOINT TENANTS AS TO AN UNDIVIDED 17% INTEREST

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
881 224 998	08/12/1988	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO PLANNING ACT CAVEATOR - THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26. P.O.BOX 550, CLARESHOLM ALBERTA T0L0T0 AGENT - FRANK L MALONEY
121 225 513	30/08/2012	
191 143 181	15/07/2019	AMENDING AGREEMENT AFFECTS INSTRUMENT: 121225513

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 16 DAY OF OCTOBER, 2019 AT 08:16 A.M.

ORDER NUMBER: 38189863

CUSTOMER FILE NUMBER: HW 19-047

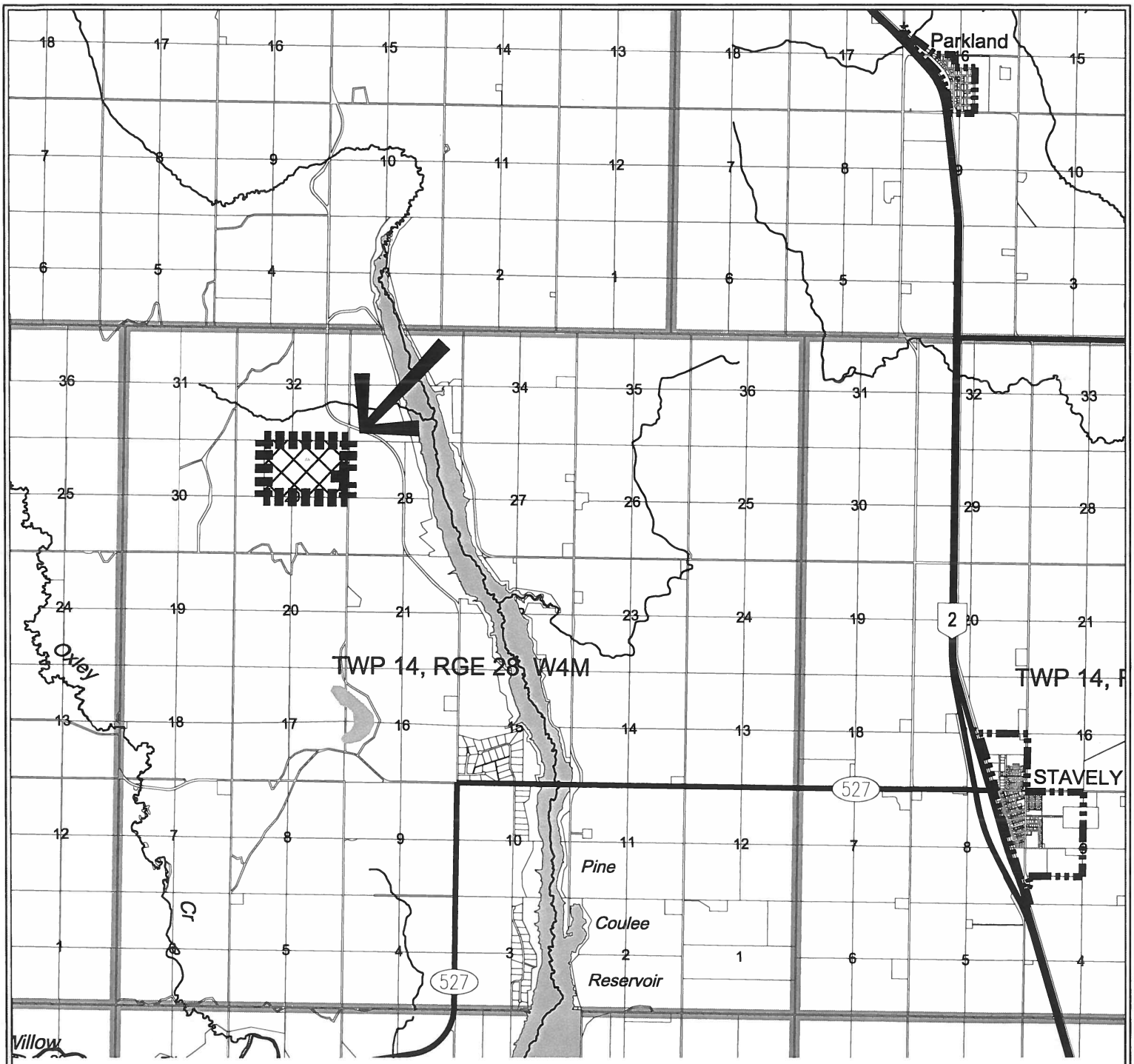
REGISTRAR OF LAND TITLES

END OF CERTIFICATE

(CONTINUED)

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).

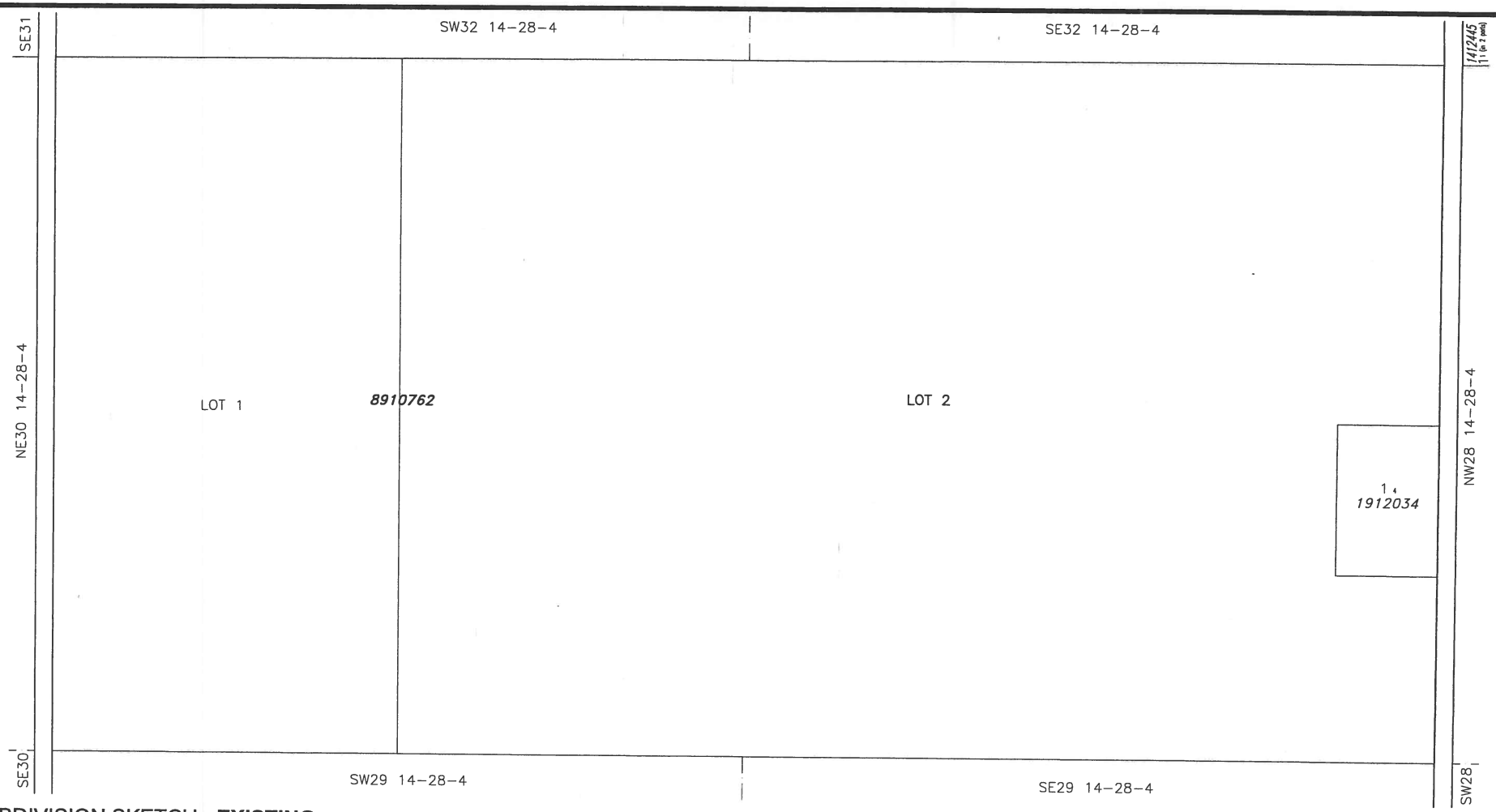


SUBDIVISION LOCATION SKETCH
NE 1/4 & NW 1/4 SEC 29, TWP 14, RGE 28, W 4 M
MUNICIPALITY: M.D. OF WILLOW CREEK NO. 26
DATE: DECEMBER 11, 2019
FILE No: 2019-0-175

MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, AB T1H 5E8
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

OLDMAN RIVER REGIONAL SERVICES COMMISSION

December 11, 2019 N:\Subdivision\2019\2019-0-175.dwg

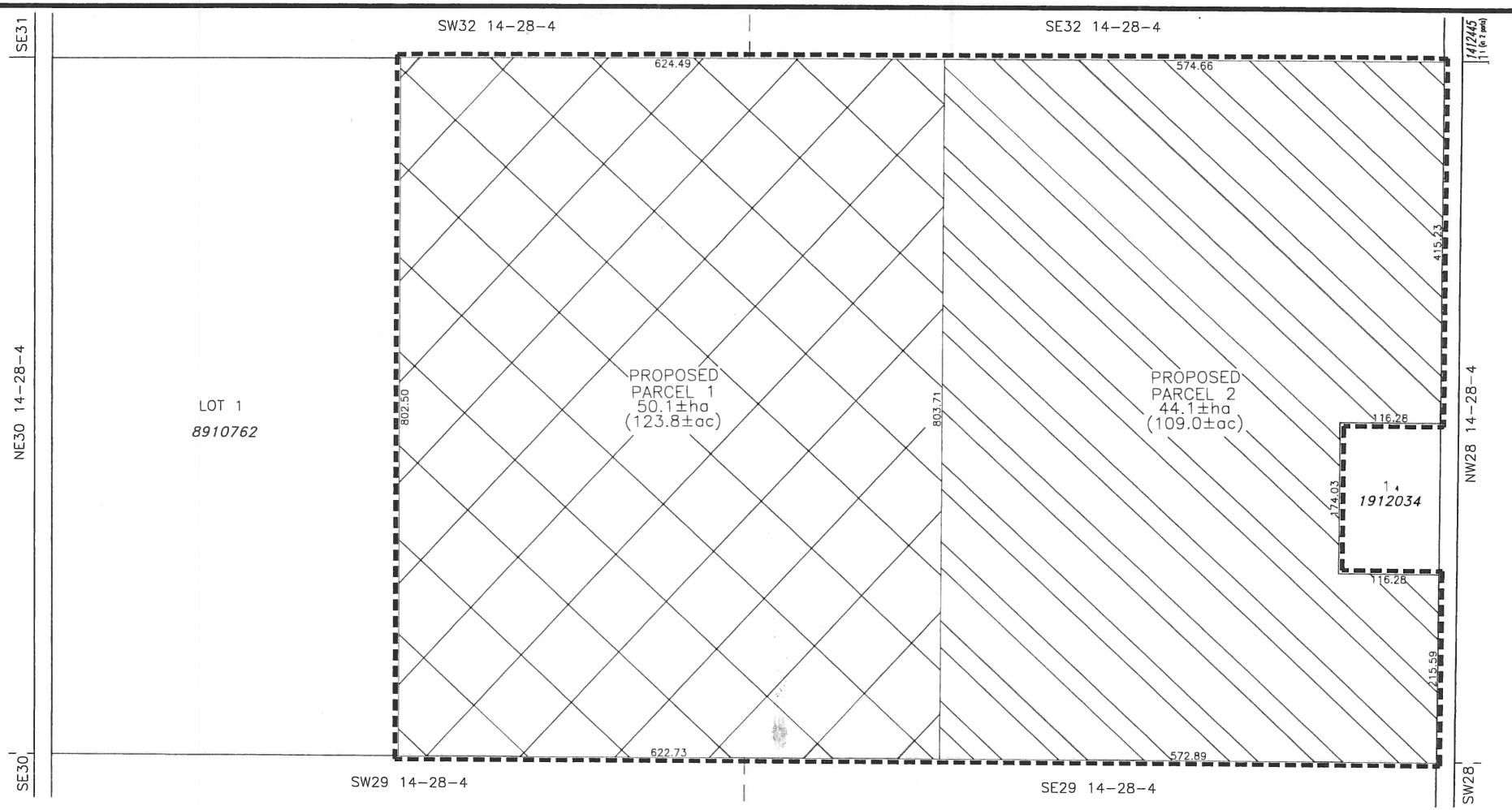


SUBDIVISION SKETCH - **EXISTING**
LOT 2, PLAN 8910762 WITHIN NE 1/4 & NW 1/4 SEC 29, TWP 14, RGE 28, W 4 M
MUNICIPALITY: M.D. OF WILLOW CREEK NO. 26
DATE: DECEMBER 11, 2019
FILE No: 2019-0-175

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 100 200 300 400

December 11, 2019 N:\Subdivision\2019\2019-0-175.dwg



SUBDIVISION SKETCH - **PROPOSED**

See tentative plan of subdivision by Absolute Surveys Inc. file no. 19-0471

LOT 2, PLAN 8910762 WITHIN NE 1/4 & NW 1/4 SEC 29, TWP 14, RGE 28, W 4 M

MUNICIPALITY: M.D. OF WILLOW CREEK NO. 26

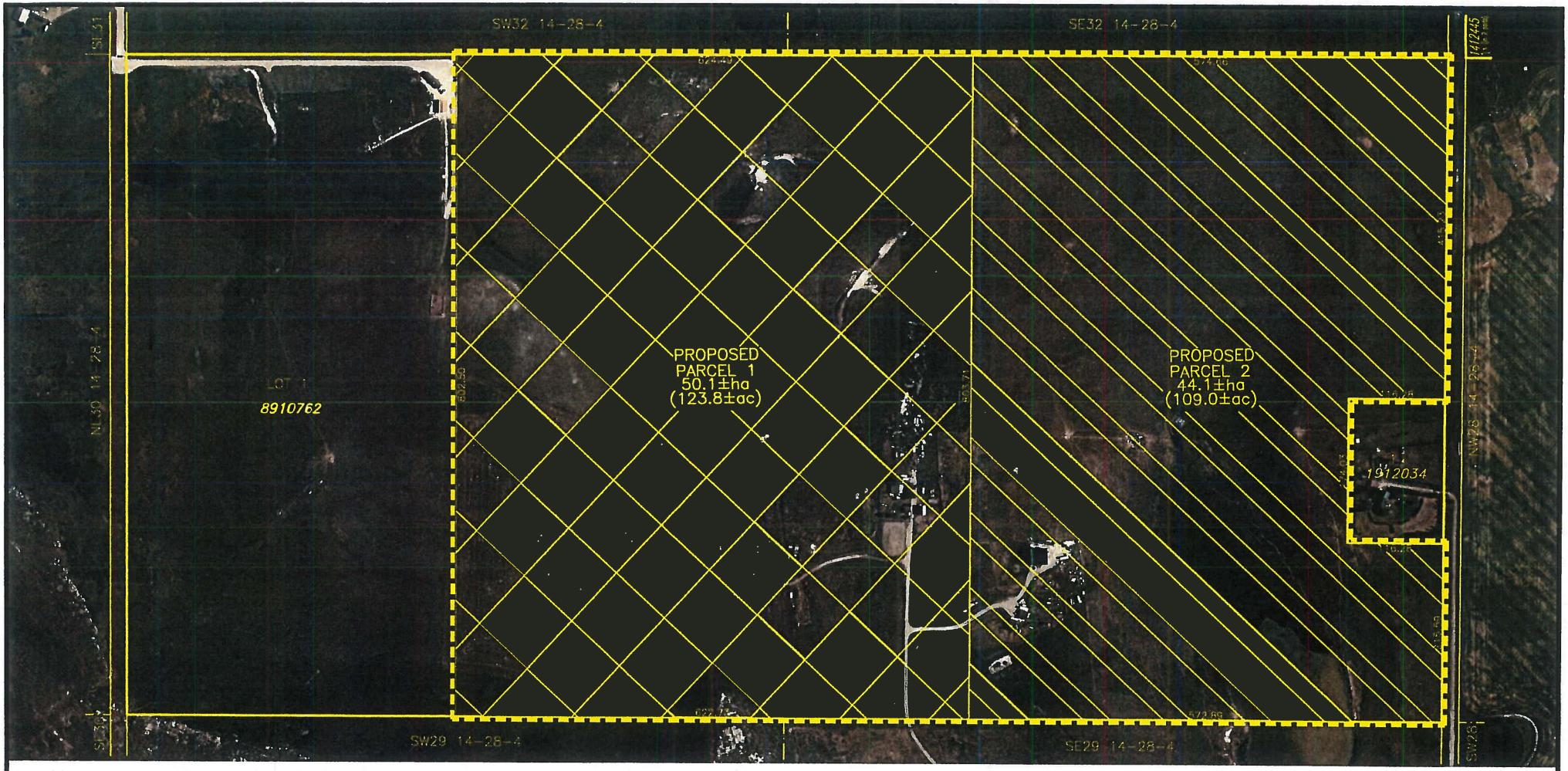
DATE: DECEMBER 11, 2019

FILE No: 2019-0-175

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 100 200 300 400

December 11, 2019 N:\Subdivision\2019\2019-0-175.dwg



SUBDIVISION SKETCH - **PROPOSED**

See tentative plan of subdivision by Absolute Surveys Inc. file no. 19-0471

LOT 2, PLAN 8910762 WITHIN NE 1/4 & NW 1/4 SEC 29, TWP 14, RGE 28, W 4 M

MUNICIPALITY: M.D. OF WILLOW CREEK NO. 26

DATE: DECEMBER 11, 2019

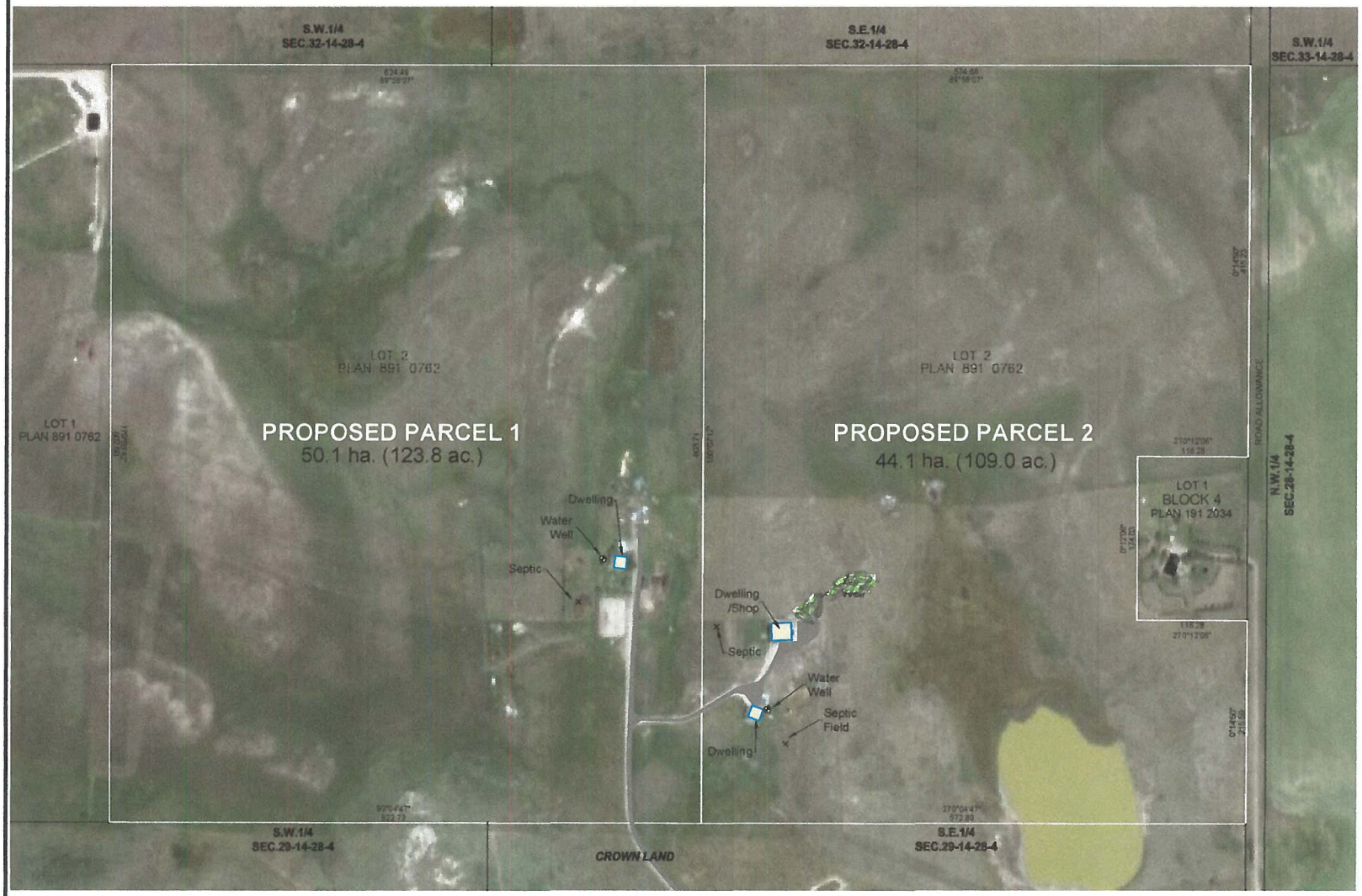
FILE No: 2019-0-175

AERIAL PHOTO DATE: 2015

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 100 200 300 400

December 11, 2019 N:\Subdivision\2019\2019-0-175.dwg



MUNICIPAL DISTRICT OF WILLOW CREEK NO.26

TENTATIVE PLAN SHOWING

PROPOSED SUBDIVISION

AFFECTING

LOT 2, PLAN 891 0762

WITHIN

N.E.1/4 & N.W.1/4 SEC.29, TWP.14, RGE.28, W.4M.

NOTES

1. AREA AFFECTED BY THIS PLAN OUTLINED THUS: ——— AND CONTAINS 94.2
2. DISTANCES ARE IN METRES AND DECIMALS THEREOF.

LEGEND

SYMBOLS AND ABBREVIATIONS THAT MAY APPEAR ON THIS PLAN SHOWN BELOW.

ALBERTA SURVEY CONTROL MARKER. . . . . ⊕
FOUND STATUTORY IRON POST. . . . . ●
PLACED STATUTORY IRON POST. . . . . ○
CALCULATED POSITION. . . . . ■
GEO-REFERENCED POINT. . . . . ○GP

A.	Arc	Mk'd.	Marked
ac.	Acre	Mon.	Monument
A.G.	Above Grade	Mp.	Marker Post
ARW.	Access Right-of-Way	MR.	Municipal Reserve
ABCM.	Alberta Survey Control Marker	NAD.	North American Datum
B.G.	BelowGrade	Pl.	Placed
Calc.	Calculated	Pos.	Position
CSRS.	Canadian Spatial Reference System	PPP.	Precise Point Positioning
C.R.	Counterbunb	PUL.	Public Utility Lot
Δ.	Central Angle of Curve	R.	Radius
Est.	Established	Re-est.	Re-established
FCP.	Fence Corner Post	Ref.	Reference
Fd.	Found	Res.	Restored
FL.	Fence Line	RGE.	Range
GNSS.	Global Navigation Satellite System	RAW.	Right-of-Way
ha.	Hectare	RP.	Reference Point
I.	Statutory Iron Post	SEC.	Section
Int.	Intersection	Spk.	Spike
M.	Meridian	TWP.	Township
M.D.	Municipal District	URW.	Utility Right-of-Way
Mk.	Mark	UTM.	Universal Transverse Mercator

AREA REQUIRED

PARCEL 1 WITHIN LOT 2, PLAN 891 0762.	50.1 ha. (123.8 ac.)
PARCEL 2 WITHIN LOT 2, PLAN 891 0762.	44.1 ha. (109.0 ac.)
TOTAL.	94.2 ha. (232.8 ac.)

MUNICIPAL AUTHORITY

OLDMAN REGIONAL SERVICES COMMISSION

FILE No.:

REGISTERED OWNERS

STEPHEN WILLIAM MARCHBANK
SUSAN EVA MAY MARCHBANK

SURVEYOR

M. KENT CROUCHER, A.L.S.

ALBERTA LAND SURVEYORS' ASSOCIATION
P 300
ABSOLUTE SURVEYS INC.

SCALE 0 50 100 200

ABSOLUTE SURVEYS INC

69 Elma Street West
OKOTOKS, AB.
OFFICE: 587-757-0634

INITIALS: --MDKC
DATE: DEC. 5, 2019.
JOB NO.: 19-0471