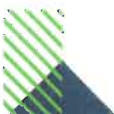


Subdivision Authority**Agenda***Council Chambers, Leduc County Centre, Nisku, AB**Thursday, July 15, 2021*

-
1. **Order – 1:30 p.m.**
 2. **Adoption of agenda**
 3. **Adoption of previous minutes**
Subdivision Authority Minutes – Tuesday, June 15, 2021 ✓
 4. **Subdivision Applications**
 1. SD21-004 - Murray Brunken – SW 14-48-24-W4 ✓
 2. SD21-008 – Steven Strachan on behalf of Steven & Corinne Strachan –
NE 01-49-25-W4 ✓
 3. SD21-011 – Kathleen Lewis – NE 08-48-23-W4 ✓
 4. SD21-024 – Ken Gora on behalf of Shaun & Lisa Marie Maskiewicz –
NW 26-48-28-W4 ✓
 5. **Adjournment**

Delegated Authority Decisions: - June - 2*✓ Attachment provided*

Leduc County is dedicated to serving its citizens and will create an enhanced quality of life through effective leadership, committed partnerships and open, transparent communication.



Subdivision Authority

Minutes

Council Chambers, Leduc County Centre, Nisku, AB

Thursday, July 15, 2021

Order and roll call

The meeting was called to order at 1:30 p.m. on Thursday, July 15, 2021, by Tanni Doblanko as chair and committee members Kelly Vandenberghe, Glenn Belozar, Kelly-Lynn Lewis and Ray Scobie present.

Other attendees via Zoom

- Mr. Rick Thomas, Secretary of Subdivision Authority
- Mr. Dave Desimone, Senior Planner, Development Services
- Mrs. Charlene Haverland, Manager, Development Services
- Mrs. Chelsey Iles, Municipal Engineer
- Mrs. Adele Pysar, Recording Secretary

There were **4** other individuals who attended the meeting.

Agenda adoption

38-21 Committee Member **Kelly-Lynn Lewis** – that the agenda for the Thursday, July 15, 2021 Subdivision Authority be accepted as presented.

Carried Unanimously

Previous Minutes – Tuesday, June 15, 2021

39-21 Committee Member **Glenn Belozar** – that the June 15, 2021 Subdivision Authority minutes be accepted as presented.

Carried Unanimously

Proposed Subdivision – Murray Brunken – SW 14-48-24-W4

SD21-004

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to an application by the applicant, Murray Brunken. Staff recommends **refusal** to subdivide a 1.49 ha (3.69 ac) farmstead parcel from a previously subdivided quarter section with a title area of 61.41 ha (151.75 ac).

Discussion

The subject lands are located off Highway 814 and a Highway 616. A 1.86 ha (4.59 ac) parcel was previously subdivided from the southwest corner of the quarter section.

The Agricultural Land Suitability Rating indicates the subject land consists of Class 2 soil, with Class 2 considered Prime Agricultural Land. An Agricultural Impact Assessment was completed with the subdivision application to determine if the proposed subdivision would adversely affect existing or future agricultural activities onsite and in the surrounding area. The applicant's assessment returned a score of 117 which indicates that the proposed subdivision does not accord with planning policy.

According to the Municipal Development Plan the subject lands are located within the Agricultural Area C (South Central /East) where policies are aimed at conserving large tracts of prime agricultural land with



minimal fragmentation primarily for intensive cropping operations and to protect existing and future confined feeding operations. In accordance with 4.3.1.8 of the Municipal Development Plan, there shall be no more than one subdivision (two titled lots) per quarter section in Agricultural Area C (South Central /East). The proposed subdivision would result in the creation of a third lot in this quarter section, which Planning and Development regards as incremental and unplanned development that should be avoided.

The proposed subdivision is in the Rural Area of the Edmonton Metropolitan Region Growth Plan (EMRGP). Policy 6.2.2 of the EMRGP stipulates that in the rural area, large contiguous agricultural areas will be protected and maintained to enable efficient agricultural production and to support the agricultural sector in the Region.

Alberta Transportation responded that should the proposed subdivision be approved, dedication of a 30 meter wide service road, by way of caveat, along Highway 616 from the intersection with Highway 814 to the east end of the subject lands will be required.

One adjacent landowner submitted comments regarding the proposed subdivision. Administration is of the opinion the comments have no bearing on the proposed subdivision.

Chair Tanni Doblanko asked if Committee Members had any comments or questions for administration.

Dave Desimone provided the following information:

- there is a home on this site;
- the one adjacent landowner comment that was received has no bearing on this proposed subdivision;
- Reason for the shape of the lot was to meet the size of the proposed subdivision lot.

Chair Tanni Doblanko called upon the applicant, to speak to the subdivision. Murray Brunken provided the following information:

- purchased land to farm;
- 40 year old house very livable – well maintained;
- Don't want to rent and be a landlord;
- Want to sell the farm house and yard site;
- Owner living there to take care of property;

Chair Tanni Doblanko asked if Committee Members had any further comments or questions for the applicant:

- Is a well established yard site – driveway appears to be permanent;
- to demolish house and garage would be destroying valuable buildings – significant value there;
- 70 m area to east will be farmed;
- own the quarter to the east as well;
- does not like Alberta Transportation's condition that a 30 meter wide service road be caveated against the title;



Rick Thomas advised Mr. Brunken to request to defer this subdivision application and deal with Alberta Transportation first on the caveat. This subdivision application would then be brought back to the next Subdivision Authority meeting on Tuesday, September 21, 2021.

Chair Tanni Doblanko asked if Committee Members had any further comments or questions for administration.

- There were none.

40-21 Committee Member **Ray Scobie** that the application to subdivide a 1.49 ha (3.69 ac) farmstead parcel from a previously subdivided quarter section with a title area of 61.41 ha (151.75 ac) be **deferred** to the Subdivision Authority meeting on Tuesday, September 21, 2021 to allow for discussions with Alberta Transportation regarding the dedication of a 30 meter wide service road, by way of caveat, along Highway 616 from the intersection with Highway 814 to the east end of the subject lands.

Carried Unanimously

**Proposed Subdivision – Steven Strachan on behalf of Steven & Corinne Strachan –
SW 28-48-26-W4**

SD21-008

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by the applicant Steven Strachan. Staff recommends **refusal** to subdivide a .99 ha (2.45 ac) residential parcel from a previously subdivided quarter section with a title area of 8.12 ha (20.06 ac).

Discussion

The subject lands are located off Range Road 250 and a half mile north of Township Road 490. The subject lands were subdivided from the original quarter section in 1963. A 1.49 ha (3.68 ac) parcel was subdivided from the quarter section in 2007.

The Agricultural Land Suitability Rating indicates the subject land consists of Class 2 & 3 soil, with Class 2 & 3 considered Prime Agricultural Land. An Agricultural Impact Assessment was completed with the subdivision application to determine if the proposed subdivision would adversely affect existing or future agricultural activities onsite and in the surrounding area. The assessment returned a score of 148 which indicates that the proposed subdivision does not accord with planning policy.

According to the Municipal Development Plan the subject lands are located within the Agricultural Area C (South Central /East) where policies are aimed at conserving large tracts of prime agricultural land with minimal fragmentation primarily for intensive cropping operations and to protect existing and future confined feeding operations. In accordance with 4.3.1.8 of the Municipal Development Plan, there shall be no more than one subdivision (two titled lots) per quarter section in Agricultural Area C (South Central /East). The proposed subdivision would result in the creation of a fourth lot in this quarter section, which Planning and Development regards as incremental and unplanned development that should be avoided.

The proposed subdivision is in the Rural Area of the Edmonton Metropolitan Region Growth Plan (EMRGP). Policy 6.2.2 of the EMRGP stipulates that in the rural area, large contiguous agricultural areas will be protected and maintained to enable efficient agricultural production and to support the agricultural sector in the Region.

There were no adjacent landowner comments submitted regarding the proposed subdivision.



Chair Tanni Doblanko asked if Committee Members had any comments or questions for administration.

Dave Desimone provided the following information:

- Three existing residences already on the property – this application would create a fourth residence;
- 70m is adequate to develop and put a house on ;
- There would have to be another approach put in. Shared approach not advisable;
- Chelsey Iles from Engineering advised there are too many approaches (6) in the area. Therefore, they would be requesting a shared approached;
- If a shared access is approved, County could get complaints about who is responsible for shoveling snow in the winter;
- With regard to a septic system – could put in a holding tank or mound, but no open discharge;
- Open discharge would impact other remnant parcels;
- Would have to meet current safety code regulations regarding setbacks for subdivided land;
- If lands were subdivided, other lands would be required to have a variance – could impact other acreages;
- Charlene Haverland advised existing home will have to meet safety code standards. That system will have to be changed – not enough room to have an open discharge. On the parcel to the south, nothing would change there, as it met code at one time. Would only affect existing home and new parcel;
- If holding tank installed, would add another truck to the road; thus causing wear and tear on Range Road 250. Holding tank may be a solution, but putting more pressure on roads.

Chair Tanni Doblanko called upon the applicant to speak to the subdivision. Steven Strachan provided the following information:

- Currently live on the existing 20 acre parcel;
- The proposed 2.45 acre small parcel means a lot;
- Would like to downsize with smaller house and live there with minimum cost;
- Prefer smaller house on smaller parcel of land, being close to Leduc;
- Don't see any conflicts;
- Proposed subdivision is a lot within a lot;
- The current 20 acres has been residential allowing the neighbor to raise cattle free of charge in order to keep the grass down;
- Might need to make a change on the septic system, which is not an issue. Existing one built in 1960's – will have to change sometime soon anyway;
- This location would provide more privacy. The area to the north is a bit lower and not really a good place to put a house;

Chair Tanni Doblanko asked if Committee Members had any further comments or questions for the applicant:

- Would like another approach to access the proposed lot.



Chair Tanni Doblanko asked if Committee Members had any further comments or questions for administration.

- There were none.

41-21 Chair, Tanni Doblanko that the application to subdivide a .99 ha (2.45 ac) parcel from a previously subdivide quarter section with a title area of 8.12 ha (20.06 ac) be **REFUSED** for the following reasons:

1. Pursuant to Section 654(1)(b) of the Municipal Government Act, the proposed subdivision does not conform to the following objectives and policies of the Municipal Development Plan (08-19):
 - a. Policy 4.3.1.1 which stipulates all subdivisions shall be designed and located in a manner that considers the topography of the land and minimizes (a) potential conflicts with surrounding agricultural uses; (b) the amount of agricultural land, and specifically prime agricultural land converted to non-agricultural use; (c) fragmentation of agricultural land by locating the subdivision near quarter section boundaries or in close proximity to existing residential sites; and (d) disturbance of environmentally significant areas;
 - b. Policy 4.3.1.7 which stipulates to conserve large, contiguous tracts of prime agricultural land with minimal fragmentation primarily for intensive cropping operation and to protect existing and future confined feeding operations in Agricultural Area C: South Central/East, subdivision shall be limited to a (a) Physical severance; or (b) Farmstead subdivision; and
 - c. Policy 4.3.1.8 which states there shall be no more than one subdivision (two titles lots) per quarter section in Agricultural Area C: South Central/East.
2. Pursuant to Section 654 (1) (b) of the Municipal Government Act, the proposed subdivision does not conform to Policy 6.2.2 of the Edmonton Metropolitan Region Growth Plan that states in the rural area, large contiguous agricultural areas will be protected and maintained to enable efficient agricultural production and to support the agricultural sector in the Region.

Carried Unanimously

The Chair notified the applicant that they could appeal the Subdivision Authority decision.

Proposed Subdivision – Kathleen Lewis – NE 08-48-23-W4

SD21-011

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by the applicant Kathleen Lewis. Staff recommends **refusal** to subdivide a 6.43 ha (15.89 ac) farmstead parcel from a previously subdivided quarter section with a title area of 61.89 ha (152.94 ac).

Discussion

The subject lands are located off Range Road 234 and a Highway 616. A 1.88 ha (4.65 ac) parcel was previously subdivided from the northeast corner of the quarter section.

The Agricultural Land Suitability Rating indicates the subject land consists of Class 2 and 5 soil, with Class 2 considered Prime Agricultural Land. An Agricultural Impact Assessment was completed with the subdivision application to determine if the proposed subdivision would adversely affect existing or future agricultural



activities onsite and in the surrounding area. The applicant's assessment returned a score of 119 which indicates that the proposed subdivision does not accord with planning policy.

According to the Municipal Development Plan the subject lands are located within the Agricultural Area C (South Central /East) where policies are aimed at conserving large tracts of prime agricultural land with minimal fragmentation primarily for intensive cropping operations and to protect existing and future confined feeding operations. In accordance with 4.3.1.8 of the Municipal Development Plan, there shall be no more than one subdivision (two titled lots) per quarter section in Agricultural Area C (South Central /East). The proposed subdivision would result in the creation of a third lot in this quarter section, which Planning and Development regards as incremental and unplanned development that should be avoided.

The proposed subdivision is in the Rural Area of the Edmonton Metropolitan Region Growth Plan (EMRGP). Policy 6.2.2 of the EMRGP stipulates that in the rural area, large contiguous agricultural areas will be protected and maintained to enable efficient agricultural production and to support the agricultural sector in the Region.

Alberta Transportation responded that should the proposed subdivision be approved, dedication of a 30 meter wide service road, by way of caveat, along Highway 616 from the northwest corner of the property to the intersection with Range Road 234 of the subject lands will be required.

There were no adjacent landowner comments received regarding the proposed subdivision.

Chair Tanni Doblanko asked if Committee Members had any comments or questions for administration.

Dave Desimone provided the following information:

- road widening was taken by Alberta Transportation;
- the reason for the length of the proposed lot going south was to include the long driveway and home;
- Possible to look at a 2.5 acre or minimum parcel size to contain current yard site.

Chair Tanni Doblanko called upon the applicant to speak to the subdivision. Kathleen Lewis provided the following information:

- Size of the proposed parcel is to accommodate sewer pump which has to be 90m from each corner. Would have put pump out further north if had known;
- Some of the hay land that the neighbor rents is being included in the subdivision;
- Access off Highway 616 for remnant will be removed. Access will be from Range Road 234 only.

Chair Tanni Doblanko asked if Committee Members had any further comments or questions for the applicant:

- No other questions for applicant

Chair Tanni Doblanko asked if Committee Members had any further comments or questions for administration.

- There were none.



42-21 Committee Member Glenn Belozar that the application to subdivide a 6.43 ha (15.89 ac) farmstead parcel from a previously subdivided quarter section with a title area of 61.89 ha (152.94 ac) be **approved** for the following reasons:

1. Pursuant to Section 654(1)(d) of the Municipal Government Act, the applicant/owner pay any outstanding property taxes to Leduc County or make satisfactory arrangements with the Council of Leduc County for the payment thereof;
2. Pursuant to Section 9(a) of the Subdivision and Development Regulation, access to the subdivision and balance of the quarter to be constructed to the standards of Public Works at the Owners/Developer's expense;
3. Pursuant to Section 7(g) of the Subdivision & Development Regulation, the applicant/owner confirm that any existing sewage disposal system(s) on the subject property is/are in compliance with the *Private Sewage Disposal Systems Regulation* in force at the time of application. Should the existing system(s) not be in compliance, modifications to the existing system(s) or installation of new system(s) shall be required;
4. Pursuant to Section 14(c) and 15(2) of the Subdivision and Development Regulation, a 30m wide service road right-of-way shall be dedicated, by way of caveat, along the frontage of the title lands adjacent to Highway 616 ;
5. Pursuant to Section 669(1) of the Municipal Government Act, existing Municipal Reserves in the amount of 15.294 ha (6.189 ac) be deferred against the title of the larger remnant parcel; and
6. The subdivision be registered pursuant to Alberta Land Titles requirements.

Pro: Glenn Belozar, Kelly-Lynn Lewis, Kelly Vandenberghe, Ray Scobie
Con: Tanni Doblanko

Carried

The Subdivision Authority felt that no additional agricultural land is being taken out of production, and that the parcel size was needed to accommodate current septic system.

**Proposed Subdivision – Ken Gora On behalf of Shaun & Lisa Marie Maskiewicz –
NW 26-48-28-W4**

SD21-024

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by the applicants. Staff recommends **approval** to subdivide a 4.00 ha (9.88 ac) farmstead parcel from a previously subdivided quarter section with a title area of 31.97 ha (79 ac)

Discussion

The subject lands are located off Township Road 485 and Range Road 10. The quarter section was previously subdivided into two 80 acre parcels.



The Agricultural Land Suitability Rating of the subject land is Class 2, which is considered Prime Agricultural Land. An Agricultural Impact Assessment was completed in conjunction with this subdivision application and received a score of 40. A score of 61 or higher indicates the proposed application may not align with County policy. Points were received due to the size of the proposed parcel being larger 1 ha (2.47 ac) in size.

The subject lands are located in Agricultural Area A: West in the Leduc County Municipal Development Plan where the objectives are to conserve agricultural land on a comprehensive basis for a broad range of agricultural operations. Policy 4.3.1.3 of the Municipal Development Plan supports a Farmstead Subdivision which is defined as the subdivision of an existing farmstead from a quarter section. A Farmstead subdivision shall not exceed 1 ha (2.47 acres) in size unless a larger lot is required to accommodate the location of existing buildings or shelterbelts associated with the residential use of the parcel. It is the opinion of administration that the proposed subdivision is larger than what is required to encompass the developed yard site and unnecessarily removes high capability agricultural land. For this reason administration are recommending the application be approved subject to a smaller parcel as presented on Exhibit 2.

The proposed subdivision is in the Rural Area of the Edmonton Metropolitan Region Growth Plan (EMRGP). Policy 6.2.2 of the EMRGP stipulates that in the rural area, large contiguous agricultural areas will be protected and maintained to enable efficient agricultural production and to support the agricultural sector in the Region.

There were no adjacent landowner comments submitted regarding the proposed subdivision.

Chair Tanni Doblanko asked if Committee Members had any comments or questions for administration.

Dave Desimone provided the following information:

- Development Authority recommended approval, subject to exhibit 2 recommending a smaller parcel size.

Chair Tanni Doblanko called upon the applicant to speak to the subdivision. Ken Gora provided the following information:

- Want to make a u-pick and market garden, thus the need to make a 10 acre parcel. Anything less would be too small

Chair Tanni Doblanko asked if Committee Members had any further comments or questions for the applicant:

- Would accept a smaller 2.0 ha parcel; however, would not be able to operate a u-pick and market garden then;
- If smaller size approved, then part of the business plan would be to sell off remnant.

Chair Tanni Doblanko asked if Committee Members had any further comments or questions for administration.

- There were none.



43-21 Committee Member Kelly Vandenberghe that the application to subdivide a 4.00 ha (9.88 ac) farmstead parcel from a previously subdivided quarter section with a title area of 31.97 ha (79 ac) be **approved** with the following conditions:

1. Pursuant to Section 654(1)(d) of the Municipal Government Act, the applicant/owner pay any outstanding property taxes to Leduc County or make satisfactory arrangements with the Council of Leduc County for the payment thereof;
2. Pursuant to Section 9(a) of the Subdivision and Development Regulation, access to the subdivision and balance of the quarter to be constructed to the standards of Public Works at the Owners/Developer's expense;
3. Pursuant to Section 7(g) of the Subdivision & Development Regulation, the applicant/owner confirm that any existing sewage disposal system(s) on the subject property is/are in compliance with the *Private Sewage Disposal Systems Regulation* in force at the time of application. Should the existing system(s) not be in compliance, modifications to the existing system(s) or installation of new system(s) shall be required;
4. Pursuant to Section 669(1) of the Municipal Government Act, existing municipal reserves in the amount of ten percent of the title area ($31.97 \text{ ha} \pm \times 10\% = 3.197 \text{ ha} \pm$) shall be further deferred to the title of the remnant parcel;
5. The subdivision be registered pursuant to Alberta Land Titles requirements.

Carried Unanimously

The Subdivision Authority supports local food initiatives and business plan by applicants. If going to be successful with the local food movement, than need to approve the larger parcel size. There is good soil and need space to plan different varieties. It will also create a lot of attraction.

Adjournment

44-21 Chair Tanni Doblanko that the Subdivision Authority meeting be adjourned.

Carried Unanimously

The Subdivision Authority meeting was adjourned at 2:26 p.m.


Chairman


Secretary