

**Subdivision Authority****Agenda***Council Chambers, Leduc County Centre, Nisku, AB****Tuesday, November 16, 2021***

1. **Order – 1:00 p.m.**
2. **Organizational Meeting of the Authority**
  - a) Nomination of Chair
  - b) Nomination of Vice Chair
3. **Adoption of agenda**
4. **Adoption of previous minutes**  
Subdivision Authority Minutes – Tuesday, September 21, 2021 ✓
5. **Subdivision Applications**
  1. SD21-020 – Philip & Catherine Turgeon – NW 19-49-26-W4 ✓
  2. SD21-027 – Shane Ross – SE 18-48-23-W4 ✓
  3. SD21-036 – Allan & Ursula Kuhn – SW 14-49-26-W4 ✓
  4. SD21-043 – Ryan Maxwell on behalf of Caza Financial Inc. – NW 7-50-24-W4; Plan 1124933 Plan 1 Lot 1 ✓
  5. SD21-044 – Eric Murphy – NW 4-49-27-W4 ✓
6. **December 21<sup>st</sup> Subdivision Authority Meeting Date**
7. **Adjournment**

**Delegated Authority Decisions: - September – 0  
October - 1**

*✓ Attachment provided*



## Subdivision Authority

### Minutes

*Council Chambers, Leduc County Centre, Nisku, AB*

***Tuesday, November 16, 2021***

#### **Order and roll call**

The meeting was called to order at 1:00 p.m. on Tuesday, November 16, 2021, by Rick Thomas, Secretary of Subdivision Authority, with committee members Tanni Doblanko, Kelly Vandenberghe, Glenn Belozar, Rick Smith and Ray Scobie present.

#### **Other attendees:**

- Mr. Dave Desimone, Senior Planner, Development Services
- Chelsey Iles, Municipal Engineer
- Mrs. Adele Pysar, Recording Secretary

There were 9 other individuals who attended the meeting.

#### **Organizational Meeting of the Authority**

- a) Rick Thomas, Secretary of Subdivision Authority asked for nominations for Chair.

Committee Member, Kelly Vandenberghe nominated Committee Member Tanni Doblanko. A second nomination was called. A third nomination was called. No further nominations came forward.

**53-21** Committee Member Rick Smith – that nominations cease and confirm Committee Member Tanni Doblanko as Chair of the Subdivision Authority.

- b) Chair Tanni Doblanko asked for nominations of Vice Chair. Committee Member, Rick Smith nominated Committee Member Kelly Vandenberghe. A second nomination was called. A third nomination was called. No further nominations came forward.

**54-21** Committee Member Glenn Belozar – that nominations cease and confirm Committee Member Kelly Vandenberghe as Vice Chair of the Subdivision Authority.

#### **Agenda Adoption**

**55-21** Committee Member Rick Smith – that the agenda for the Tuesday, November 16, 2021 Subdivision Authority be accepted.

Carried Unanimously

#### **Previous Minutes –Thursday, July 15, 2021**

Committee Member Kelly Vandenberghe advised an amendment to be made to page 65 of the minutes. Add the following to the last line on this page – “and has no pecuniary interest in the applicant’s parcel”.

**56-21** Committee Member Ray Scobie – that the September 21, 2021 Subdivision Authority minutes be accepted as amended.

Carried Unanimously



**Proposed Subdivision – Philip & Catherine Turgeon – NW 19-49-26-W4**

**SD21-020**

Mr. Dave Desimone, Senior Planner, Development Services, presented a staff report with respect to the application by the applicant Philip Turgeon. Staff recommends **approval** to subdivide a 3.46 ha (8.54 ac) residential parcel and a 3.46 ha (8.54 ac) farmstead parcel from an unsubdivided quarter section of 64.33 ha (158.97 ac).

**Discussion**

The Agricultural Land Suitability Rating System indicates that the subject lands consists of Class 2 soils. Class 2 soils are considered Prime Agricultural. An agricultural impact assessment was completed in conjunction with this 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 159 indicating that the proposed subdivision does not align with planning policy. The score was attributed to the proposed residential parcel, representing the second parcel from the quarter section, not aligning with Leduc County 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 the first and second lot in this quarter section, which is not supported in the current policies of the Municipal Development Plan.

Due to the quarter section being unsubdivided and the policies of the Municipal Development Plan supporting one farmstead parcel per quarter section, administration recommends that the subdivision authority approve the proposed subdivision subject to the revisions of Exhibit 2 which illustrates a single Farmstead parcel of 3.46 ha (8.54 ac) in size.

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

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

Dave Desimone provided the following information:

- Administration recommends a change in application to be only one parcel of 3.46 ha (8.54 ac) in size. It is represented as parcel 2 on Exhibit 1.
- Would be classified as a farmstead parcel, and be supported in this agricultural area.

Chair Tanni Doblanko called upon the applicant to speak to the subdivision. Philip & Jason Turgeon provided the following information:

- Jason advised they have prepared a power point presentation.
- Have been planning this subdivision for a number of years, in order for my family to move back on the farm.
- Maintain farm status and be closer to my father.
- This land was purchased by my great grandfather father in 1922.
- Remain active in the community through four generations.



- Subdivision of the land can easily be sold to future generations.
- Preserve sense of community and family history in County – keeping land in the family.
- Protects value of the property – financial institutions are more apt to provide financing based on one property.
- To finance residence construction, need my name on title.
- Although we are requesting two parcels to be subdivided, we are still meeting existing contiguous agricultural area.
- No impact from a fragmentation point.
- Minimizes loss of agricultural land, as no agricultural land is being converted to a non-agricultural use.
- Conserves agricultural land – new residence on north parcel.
- Ensures long-term viability of agriculture.
- Are currently preparing a micro farming business plan with specialty crops sold at local farmers market to maintain farm status for the parcel.
- Manage drainage control of water flow.
- As micro farming operation grows, proposed subdivision will allow for easy expansion without impacting primary farmland which promotes long-term diversity of agriculture.

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

- The remainder larger parcel of land is rented out and being farmed.
- In the proposal stages of a micro business plan.
- In spring, water drains in a northwest direction through the trees, with the top half of the parcel usually flooded. Would consider specialty pumping.

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

- Access to proposed parcel 2 is off Highway 795. An access would need to be constructed for proposed parcel 1 and remnant parcel off Township Road 494.
- Looking at 30m caveat, would take away approximately 450 m<sup>2</sup> of acreage land.

**57-21** Committee Member **Rick Smith** that the application to subdivide a 3.46 ha (8.54 ac) residential parcel and a 3.46 ha (8.54 ac) farmstead parcel from an unsubdivided quarter section of 64.33 ha (158.97 ac) be **approved** with the following conditions:

1. Pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding taxes are to be paid or make arrangements with Leduc County for the payment thereof;
2. Pursuant to Section 9(a) of the Subdivision and Development Regulation, the applicant/owner shall provide access to the newly created lot and access to the remnant lot. The applicant/owner shall apply for approval of locations of access and each approach shall be built to Leduc County Development Standard;





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 (see attached Septic Tank Compliance Form);
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 795; and
5. The subdivision be registered pursuant to the Land Titles Act.

Pro: Committee Members, Glen Belozar, Ray Scobie and Rick Smith

Con: Chair Tanni Doblanko and Committee Member Kelly Vandenberghe

Carried

The Subdivision Authority felt there was support for the family farm, and the opportunity for a future business operation of micro farming.

2 individuals exited council chambers.

**Proposed Subdivision – Shane Ross – Plan 0220255, Block 1, Lot 1 (SE 18-48-23 W4)**

**SD21-027**

### Update

At the September 21, 2021 Subdivision Authority Committee meeting, a motion was passed to defer the application to the November 16, 2021 meeting in order for the applicant to engage adjacent landowners who had submitted letters of objection concerning the proposed subdivision. The applicant stated they reached out to adjacent landowners via mail but did not receive a response.

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by the applicant Shane Ross. Staff recommends **refusal** to subdivide a 3.97 ha (9.81 ac) and a 4.20 ha (10.38 ac) residential parcel from a previously subdivided quarter section with a title area of 16.40 ha (40.53 ac).

### Discussion

The subject lands are located off Range Road 235 and Highway 616. The quarter section was subdivided into two parcels in 1999.

The Agricultural Land Suitability Rating indicates the subject land consists of Class 5 soil. 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 128 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 the second and third lots (four titled areas) 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 three adjacent landowner comments received objecting to the proposed subdivision including:

- The loss of farmland
- The increase in residential development which conflicts with the rural lifestyle
- The potential increase of traffic, noise, congestion in the agricultural area
- The proposed subdivision being counter to Leduc County policies and regulations

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

Dave Desimone provided the following information:

- Mr. Ross did meet with adjacent landowners to discuss their letters of objections with regard to the proposed subdivision

**Chair Tanni Doblanko called upon the applicant to speak to the subdivision. Shane Ross provided the following information:**

- Lived in Leduc County his whole life.
- Reached out to neighbors to discuss their concerns.
- When the land was subdivided in 1998, it wasn't farmed or fenced.
- Land was mostly used for deer hunting.
- Was advised I had to build a road to the property.
- One of the neighbors Mr. Gatzke who is against this subdivision - had fenced to the property line and he wasn't receptive to moving the fence – not acceptable to change and we have not got along since. Took exception to his letter and advised him I don't agree with his objections. I do safe shooting – no less than 100 yards from property line. His accusations are unfounded.
- Another neighbor, Roth, owns a piece of land across the coulee, but are absentee landowners. Could not obtain a phone number – property is rented out.
- Talked to other neighbors that were fine with the subdivision.
- Neighbors direct to the south that the subdivision affects, are worried about their privacy. They like to dirt bike and don't want people complaining about their hay making. They don't want more neighbors. Eased some of their concerns.

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

- There were none.





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

- South of Highway 616 there seems to be a lot of development that has occurred – lots of nice houses overlooking Coal Lake. Busy recreational area – offer better recreational areas by Leduc County.
- Dave Desimone advised we need to protect the lake from pollution, tree removal, excessive development.
- There is no plan – which creates some guessing on how best to do this.
- Environmental Reserve Easement may be the best method to protect these areas so the lands remain private.
- Unfair to ask applicant for municipal reserves – suggest removing condition #4.
- Chelsey Iles advised an internal subdivision road would be required once there are four contiguous subdivision parcels.
- Multi lot residential should have internal access.
- Still a significant amount of land there – there could be more development.
- Chelsey Iles concerned there is one lot that only has 30m front.

**58-21** Committee Member **Rick Smith** that the application to subdivide a 3.97 ha (9.81 ac) and a 4.20 ha (10.38 ac) residential parcel from a previously subdivided quarter section with a title area of 16.40 ha (40.53 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 664(1)(c) of the Municipal Government Act, Environmental Reserve Easement shall be dedicated along the top of bank and riparian area, abutting the bed and shore of the Creek/River/Lake etc. The area of the Environmental Reserve shall be determined by an Alberta Land Surveyor in consultation with Leduc County;
5. The subdivision be registered pursuant to Alberta Land Titles requirements.

Pro: Committee Members, Kelly Vandenberghe, Rick Smith, Ray Scobie, Glen Belozer

Con: Chair Tanni Doblanko

Carried



The Subdivision Authority felt that historically development has occurred south of Highway 616, which presents the same type of land and use and this will not negatively impact farming.

1 person exited

**SD21-036 – Allan & Ursula Kuhn – SW 14-49-26-W4**

**SD21-036**

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by the applicant Allan Kuhn. Staff recommends **refusal** to subdivide a 1.67 ha (4.13 ac) residential parcel from a previously subdivided quarter section with a title area of 60.64 ha (149.84 ac).

### **Discussion**

The subject lands are located off Range Road 262 and Township Road 492. The original farm site in the southeast corner of the quarter was subdivided in 1989 and a 1.23 ha (3.14 ac) parcel was subdivided in 2008.

The Agricultural Land Suitability Rating indicates the subject land consists of Class 2 & 3 soil which are considered Prime Agricultural Land. An Agricultural Impact Assessment was completed with the subdivision application and returned a score of 149 which indicates that the proposed subdivision does not accord with planning policy. The score was assigned due to the proposed subdivision being the 3<sup>rd</sup> parcel from the quarter section, the high capability of the farmland and the proposed parcel being undeveloped.

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 (four titled areas) 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 two adjacent landowner letters received representing 3 separate landowners objecting to the proposed subdivision including:

- The proposed subdivision being counter to Leduc County policies and regulations
- Impedes use, value and enjoyment of adjacent lands
- The conversion of agricultural lands for non-agricultural uses

The full letters are attached to this report.

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

Dave Desimone provided the following information:





- Traditionally dugouts are for animals, but sometimes they are used to control water to serve the rest of the agricultural land.

**Chair Tanni Doblanko called upon the applicant to speak to the subdivision. Allan/Ursula Kuhn provided the following information:**

- Years ago the whole quarter of land was reclaimed due to a salt spill and dirt brought in. Dirt was contaminated. Took this soil and filled up the dugout. Could not farm the land from this wet location.
- 12-13 years ago there was an approved development application for daughter and family for acreage to north. Son-in-law was a mechanic, and also helped out with the farming.
- Have to quit farming at our age.
- Have a perspective buyer who wants to farm – also does market gardening.
- Opportunity for us to sell and help him.
- Opportunity to age beside our children and grandchildren.
- Currently live on the quarter.
- Sell what is left of quarter section and down size to what is left.

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

There were none

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

- There are drainage issues.
- Not convinced splitting that piece out is good for county.
- Try to consider the future more so than the present.
- How do we confirm there is a building pocket there – require more information.
- Dave Desimone advised water table tests not as useful anymore.
- Could defer a decision – submit a site plan at development showing where house would be placed and type of sewage location.
- Landowners have lived here for 40 years – they know what the land is like.

**59-21 Chair Tanni Doblanko** that the application to subdivide a 1.67 ha (4.13 ac) residential parcel from a previously subdivided quarter section with a title area of 60.64 ha (149.84 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.

Pro: Chair Tanni Doblanko and Committee Member Kelly Vandenberghe

Con: Committee Members Ray Scobie, Glen Belozar, Rick Smith

Defeated

**60-21** Chair **Tanni Doblanko** that the application to subdivide a 1.67 ha (4.13 ac) residential parcel from a previously subdivided quarter section with a title area of 60.64 ha (149.84 ac) be **deferred** in order to obtain more information on site suitability as well as more information on sewage disposal systems.

Pro: Chair Tanni Doblanko and Committee Member Kelly Vandenberghe

Con: Council Members Ray Scobie, Glen Belozar, Rick Smith

Defeated

**61-21** Committee Member **Rick Smith** that the application to subdivide a 1.67 ha (4.13 ac) residential parcel from a previously subdivided quarter section with a title area of 60.64 ha (149.84 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 6.191 ha (15.3 ac) under deferred reserve caveat 092442996 be further deferred against the title of the larger remnant parcel; and
5. The subdivision be registered pursuant to Alberta Land Titles requirements.

JD



Pro: Council Members Ray Scobie, Glen Belozar, Rick Smith  
Con: Chair Tanni Doblanko and Committee Member Kelly Vandenberghe

Carried

The Subdivision Authority felt the subdivision is not taking any agricultural land out of production, and is suitable for subdividing.

2 people exited

**Proposed Subdivision – Ryan Maxwell on behalf of Caza Financial Inc. NW 07-50-24-W4,  
Plan 1124933 Plan 1 Lot 1** **SD21-043**

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by the applicant Ryan Maxwell. Staff recommends **approval** to subdivide a 3.88 ha (9.59 ac) parcel and a 6.36 ha (15.72 ac) parcel for light industrial use from a title area of 10.24 ha (25.31 ac).

### **Discussion**

The subject lands are adjacent to the south side of Township Road 502 and east of 9th Street, with access from 9th Avenue. The subject lands are developed with two warehouse/office buildings with accessory buildings associated with the light industrial operations.

The subject lands are districted as LI – Light Industrial in the Leduc County Land Use Bylaw 07-08 and within the Saunders Lake Business Area of the North West Saunders Lake Area Structure Plan, which supports employment growth industrial/business development. As the lands are currently developed and the proposed subdivision is to separate two light industrial buildings with office/warehousing uses, the proposed subdivision aligns with the principles, policies and regulations of the Land Use Bylaw and North West Saunders Lake Area Structure Plan .

Off-site levies are paid in full for the subject lands and municipal reserve was dedicated under a previous subdivision.

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.**

- There were none

**Chair Tanni Doblanko called upon the applicant to speak to the subdivision. Ryan Maxwell provided the following information:**

- Allowing us to subdivide will allow for different lenders to support the facilities.
- Allow to move business forward.
- Usage of buildings are a worm farm and mushrooms (cannabis genetics).

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



- There were none

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

- There were none

**62-21** Committee Member **Kelly Vandenberghe** that the application subdivide a 3.88 ha (9.59 ac) parcel and a 6.36 ha (15.72 ac) parcel for light industrial use from a title area of 10.24 ha (25.31 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. The applicant/owner shall enter into a shared access agreement. Terms of the agreement are to be determined by the applicant/owner and approved by Leduc County. The access agreement shall be registered on the newly created titles by caveat;
3. The applicant/owner shall prepare and register utility easement to protect sanitary and storm water utilities;
4. The applicant/owner shall ensure registration title Number 142 110 730, restrictive covenant carries forward against the most eastern lot located next to the storm water management facility; and
5. The subdivision be registered pursuant to Alberta Land Titles requirements.

Carried Unanimously

2 people existed

**Proposed Subdivision – Eric Murphy – NW 4-49-27-W4**

**SD21-044**

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by the applicant Eric Murphy. Staff recommends **refusal** to subdivide a 3.35 ha (8.28 ac) farmstead parcel from a previously subdivided quarter section with a title area of 63.75 (157.53 ac).

### **Discussion**

The subject lands are located off Range Road 274 and a half mile north of Township Road 490. A 1 ha (2.47 ac) parcel was previously subdivided from the northwest 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 and returned a score of 104 which indicates that the proposed subdivision does not accord with planning policy. The score was attributed to the high capability of the agricultural land and the proposed subdivision representing the second parcel from the quarter section which does not align with Leduc County 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 second parcel in this quarter section (three titled lots), which does not align with the above policies of the Municipal Development Plan.

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 received regarding the proposed subdivision application.

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

- There were none

**Chair Tanni Doblanko called upon the applicant to speak to the subdivision. Eric Murphy provided the following information:**

- Farm 5000 acers.
- Reason for subdivision is I don't want to be a landlord.
- Require separate titles.
- Follow the natural trees.
- Micro farming seems to be a new thing – could possibly do that.
- Natural split.

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

- There were none

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

**Doblanko**

- There were none

**63-21 Chair Tanni Doblanko** that the application subdivide a 3.35 ha (8.28 ac) farmstead parcel from a previously subdivided quarter section with a title area of 63.75 (157.53 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, Municipal Reserves in the amount of 6.375 ha (15.75ac) be deferred against the title of the larger remnant parcel; and
5. The subdivision be registered pursuant to Alberta Land Titles requirements.

Pro: Chair Tanni Doblanko, Committee Members Glen Belozer, Rick Smith, Ray Scobie

Con: Kelly Vandenberghe

Carried

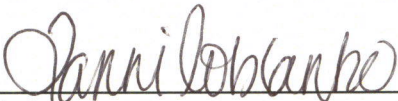
The Subdivision Authority felt no agricultural land was being taken out of production. Allows for the addition (new) of residents to utilize the existing house and acreage; increase rural residents.

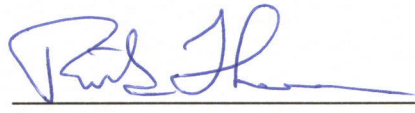
**Adjournment**

**64-21** Committee Member **Rick Smith** that the Subdivision Authority meeting be adjourned.

Carried Unanimously

The Subdivision Authority meeting was adjourned at 2:44 p.m.

  
Chairman

  
Secretary