

Subdivision Authority**Agenda***Council Chamber, Leduc County Centre, Nisku, AB**Tuesday, September 20, 2022***1. Order – 1:30 p.m.****2. Adoption of agenda****3. Adoption of previous minutes**

Subdivision Authority Minutes – Tuesday, August 16, 2022 ✓

4. Subdivision applications

1. SD22-013 – Marc Anderson on behalf of Tim & Priscilla Anderson – ✓
NW 34-49-24 W4 – Roll 996010
2. SD22-017 – Kim Klatt – NE 20-48-25 W4 – Roll 1214000 ✓

5. Adjournment

Delegated Authority Decisions: August - 1

✓ 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 Chamber, Leduc County Centre, Nisku, AB
Tuesday, September 20, 2022*

Order and roll call

The meeting was called to order at 1:30 p.m. on Tuesday, September 20, 2022, by committee member Ray Scobie as Chair with committee members Rick Smith, and Glenn Belozar present. Tanni Doblanko was absent.

Other attendees:

- Mrs. Renee Klimosko, Secretary of Subdivision Authority
- Mrs. Charlene Haverland, Manager of Development Services
- Mr. Dave Desimone – Senior Planner
- Ms. Kala Raymond – Planner
- Mr. Alan Grayston, General Manager – Development and Community Services
- Mrs. Adele Pysar, Recording Secretary

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

Agenda Adoption

32-22 Committee Member Glenn Belozar that the agenda for the Tuesday, September 20, 2022 Subdivision Authority meeting be accepted as presented.

Carried Unanimously

Previous Minutes – Tuesday, August 16, 2022

33-22 Committee Member Rick Smith that the August 16, 2022 Subdivision Authority minutes be accepted as presented.

Carried Unanimously

Proposed Subdivision – Marc Anderson – NW 34-49-24 W4 – Roll 996010

SD22-013

Mr. Dave Desimone, Senior Planner of Development Services presented a staff report with respect to the application by the applicant Marc Anderson. Staff recommends approval to subdivide one 1.01 ha (2.5 ac) residential lot from a previously subdivided parcel of 2.02 ha (5.0 ac).

Discussion

The subject lands are located in Sunnyville subdivision which is located at Range Road 243 and Township Road 500. The Sunnyville subdivision was created in 1960. The lands subject of this proposed subdivision is the remnant lot from the original subdivision of the west 80 acres at NW 34-49-24-W4.

Sunnyville is districted RC – Country Residential and there are currently 21 lots within the west 80 acres of this subdivision as part of the NW 34-49-24-W4. Policy 4.5.1.4 of the Municipal Development Plan stipulates Country Residential developments must not exceed 50 lots per quarter section. The proposed subdivision represents the 23rd lot within this quarter section.



Regulation 10.1.4 of the Leduc County Land Use Bylaw 7-08 stipulates the sizes for new residential lots in the Country Residential District should be minimum 1 ha (2.47 ac) and maximum 4 ha (9.88 ac). The proposed lot is 1 ha (2.47 ac) in size.

A drainage plan was included with the proposed application. Administration has reviewed and approved the drainage plan and determined that the additional Country Residential lot is suitable for development.

The existing access to the subject lands, as well as proposed access to the proposed parcel is to Township Road 500. Due to the lands being the remnant from the original subdivision, access through the internal subdivision road is not possible. Administration recommend an exception be made to the policy regarding accesses to internal roadway, as the proposed access is acceptable to Leduc County development standards.

There were no adjacent landowner comments concerning the proposed subdivision.

Chair Ray Scobie asked if committee members had any comments or questions for administration.

There were none.

Chair Ray Scobie called upon the applicant to speak to the subdivision. Marc Anderson could not be here today. Alfonso Aguilar, brother-in-law to Marc Anderson provided the following information:

- The current 5 acre parcel of land is too much to be able to manage
- Saw opportunity to subdivide

Chair Ray Scobie asked if committee members had any further comments or questions for the applicant:

There was none.

Chair Ray Scobie asked if committee members had any further comments or questions for administration.

There was none.

34-22 Committee Member Rick Smith that the application to subdivide one 1.01 ha (2.5 ac) residential parcel from a previously subdivided parcel with a title area of 2.02 ha (5.0 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

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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 655(1) of the Municipal Government Act, a restrictive covenant shall be registered against the newly created lots prohibiting potable water from any well on the lands unless a Potable Water Study, satisfactory to Leduc County and Alberta Environment has been prepared by a qualified person and demonstrates that the diversion of 1250 cubic metres of water per year for household purposes for the newly created lot on the said lands is sustainable and will not interfere with any uses of ground water existing at the time of the Study; and
5. The subdivision be registered pursuant to Alberta Land Titles requirements.

Carried Unanimously

Proposed Subdivision – Kim Klatt – NE 20-48-25-W4 - Roll 1214000

SD22-017

Ms. Kala Raymond, Planner for Development Services presented a staff report with respect to the application by the applicant Kim Klatt. Staff recommends **refusal** to subdivide one 7.88 ha (19.46 ac) farmstead parcel from a previously subdivided quarter section of 62.43 ha (154.27 ac).

Discussion:

The subject lands are located off Range Road 254 and Township Road 484. A 2.32 ha (5.73 ac) parcel was subdivided from the quarter section in 2014.

The Agricultural Land Suitability Rating indicates the subject land consists entirely of Class 2, with Class 2 being 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 124 which indicates that the proposed subdivision does not accord with planning policy. The score is attributed to the proposed parcel representing the second parcel from this quarter section and the large size for a residential parcel.

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 policy 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 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 three adjacent landowner comments received regarding this proposed subdivision; two were opposed to the proposed subdivision and one had concerns but was not opposed

Chair Ray Scobie asked if Committee Members had any comments or questions for administration. Dave Desimone provided the following information:



Copies of the three adjacent landowner letters were handed out.

Chair Ray Scobie called upon the applicant to speak to the subdivision. Kim Klatt approached and provided the following information:

- Lives on the property with daughter and three grandchildren
- Reason for wanting to subdivide is she spends most of her time out of country, and the property is too big for her and her daughter to take care of
- Land is rented out
- Renter has indicated he is interested in keeping it farm land
- Have been renting out this land for 20 plus years
- Would like to sell 154 acres, but keep the proposed subdivided parcel out
- Would consider downsizing from 20 to 10 acres to keep treed area of property
- Believes there is a minimum requirement of 20 acres to keep the open discharge septic system
- Do not want to have to put in a new septic system
- 20 acre proposed parcel is fenced off for pasture – not being farmed

Chair Ray Scobie asked if committee members had any further comments or questions for the applicant:

There was none.

Chair Ray Scobie asked if committee members had any further comments or questions for administration.

- Committee member responses:
 - I. Administration to work with applicant to do a second exhibit to downsize proposed lot to 10 acres to include treed portion of parcel only
 - II. Treed area is a good place for people to live
 - III. Do not require three access approaches into this property
- Administration responses:
 - I. No farming would be done in the treed area
 - II. Reduce size of parcel, but bring something back within policy
 - III. If cut down in size, would be hesitant to give assurance regarding present septic system
 - IV. There is some prime farm land in the proposed subdivided parcel

Charlene Haverland added some comments:

- No problem with this application being deferred, as there were three adjacent landowner concerns mainly about farmland
- Would have to recirculate to adjacent landowners because are now proposing a smaller parcel size
- However, changing to smaller parcel size still does not meet policy
- Will have to go back to Alberta Transportation as well for their comments
- Do not make recommendations in relation to a septic system being compatible or not

35-22 Committee Member Glenn Belozer that the application to subdivide a 7.88 ha (19.46 ac) farmstead parcel from a previously subdivided quarter section of 62.43 ha (154.27 ac) be **deferred** for administration



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to work with the applicant to remove the farmland from the proposed subdivision application. Application to be brought back to a future subdivision authority meeting.

Carried Unanimously

Adjournment

36-22 Committee Member Glenn Belozer that the Subdivision Authority meeting be adjourned.

Carried Unanimously

The Subdivision Authority meeting was adjourned at 1:57 p.m.


Chairman


Secretary