



## Subdivision Authority Minutes

*Council Chamber, Leduc County Centre, Nisku, AB  
Tuesday, October 18, 2022*

### Order and roll call

The meeting was called to order at 1:30 p.m. on Tuesday, October 18, 2022, by Chair Tanni Doblanko with committee members Rick Smith and Glenn Belozar present. Committee Member Ray Scobie was absent due to conflicting county function.

### Other attendees:

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

There were three other individuals who attended the meeting.

### Agenda Adoption

**37-22** Committee Member Glenn Belozar that the agenda for the Tuesday, October 18, 2022 Subdivision Authority meeting be accepted as presented.

Carried Unanimously

### Previous Minutes – Tuesday, September 20, 2022

**38-22** Committee Member Rick Smith that the September 20, 2022 Subdivision Authority minutes be accepted as presented.

Carried Unanimously

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

**SD22-017**

### Update

On September 20, 2022, the Subdivision Authority Committee made a motion to defer this subdivision application in order for administration to prepare a 2nd exhibit of a smaller parcel size. Kala Raymond, Planner, provided the update with the added 2nd exhibit of 4.55 ha± (11.24 ac±). Administration maintains their recommendation for refusal for this subdivision application.

### 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

20

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 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. Kim Klatt approached and provided the following information:

- The first proposal was larger and included pasture land that is all rock. A renter has rented the land for 20+ years.
- Area between buildings and dugout is about 2 acres.
- There are 4 rows of 20 year old trees along the edge to the dug out. If anyone tries to farm the small pasture, they would have to take out some trees to gain access.
- Dugout used for recreation.
- Small pasture is not big enough for the machinery to turn around. Limited space for farm equipment.
- Very rocky with low natural draw between the dugout and tree line which is mostly wet .
- Looking to go to north edge of dug out, down property to southern property line.
- These are the reasons we are asking for larger subdivision.

Chair Tanni Doblanko asked if committee members had any further comments or questions for administration.

Administration responses:

- Administration has recommended refusal on any size as the proposal does not meet policy.

**39-22** Committee Chair Tanni Doblanko that the application to subdivide a 4.55 ha (11.24 ac) farmstead parcel from a previously subdivided quarter section of 62.43 ha (154.27 ac) as per Exhibit 2 be refused as it impacts the agricultural sector.



Pro: Chair Tanni Doblanko

Con: Committee Members Rick Smith and Glenn Belozar

**Defeated**

**40-22** Committee Member Rick Smith that the application to subdivide a 4.55 ha (11.24 ac) farmstead parcel from a previously subdivided quarter section of 62.43 ha (154.27 ac) as per Exhibit 2 be **approved** with the following conditions:

1. Pursuant to the Land Use Bylaw the proposed subdivision be revised as per Exhibit 2.
2. 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;
3. Pursuant to Section 9(a) of the Subdivision and Development Regulation, the applicant/owner shall provide access to each lot created. Access shall be approved and built to Leduc County standards;
4. 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;
5. Pursuant to Section 669(1) of the Municipal Government Act, municipal reserves in the amount of 10% of the title area, 62.43 ha (154.27 ac) x 10% = 6.243 ha (15.427 ac), be deferred against the remnant parcel;
6. The subdivision be registered pursuant Alberta Land Titles requirements.

Pro: Committee Members Rick Smith and Glenn Belozar

Con: Chair Tanni Doblanko

**Carried**

The Subdivision Authority Committee stated that they were addressing the concerns of the residents as all farmland was removed from the area being subdivided.

**Proposed Subdivision - Darcy Powlik on behalf of Roman Beckman –  
NE 22-48-26 W4 (Roll 1585000)**

**SD22-024**

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by the applicant Darcy Powlik on behalf of Roman Beckman. Staff recommends refusal to subdivide one 4.0 ha (9.88 ac) farmstead parcel from a previously subdivided quarter section of 80 acres.

#### **Discussion**

The subject lands are located off Range Road 262 and Township Road 484. The quarter section was previously subdivided into two 80 ac parcels.



The Agricultural Land Suitability Rating indicates the subject land consists of Class 2 and 3 soil, with Class 2 and 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 applicant's assessment returned a score of 114 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 farmstead parcel.

According to the Municipal Development Plan the subject lands are located within 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 (three titled lots) 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 received regarding this proposed subdivision.

Chair Tanni Doblanko asked if committee members had any further comments or questions for administration.

Committee member questions:

- Size of 9.88 ac?
- Any other outbuildings on the parcel?

Administration responses:

- Confirmed parcel size.
- No other outbuildings.

Chair Tanni Doblanko called upon the applicant to speak to the subdivision. Darcy Powlik approached and provided the following information:

- The 1,200 ft<sup>2</sup> house with attached garage was built in 2015 for aging parents. One parent has since passed away.
- Want to separate residential piece out and sell lot.
- Reviewed assessment summary, does not agree with these percentages; 63ac @ 42%, 41 d.g. Score is more 94 than 114 (62 points for 2<sup>nd</sup> parcel out).
- Parcel has never been farmed (no grain or hay), sits between 2 oil leases, with bush, low land, rock, only pasture land.
- Not taking farm land out of production and will support residential, schools and businesses in the area.
- Good country residential site with room for garden, cows, chickens etc.





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Committee member question:

- Equestrian centre on the property?

Applicant response:

- Yes, equestrian centre which was previously a veterinary clinic will remain.

Committee member question:

- Why is the parcel so big? Seems excessive for a country residential parcel.

Applicant response:

- The size can work well, 6 pipelines will converge if the parcel is too small.
- If lot is too small, it may limit shop/outbuildings in the future.

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.

**41-22** Committee Member Glenn Belozor that the application to subdivide a 4.0 ha (9.88 ac) farmstead parcel from a previously subdivided quarter section of 80 acres 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, the applicant/owner shall provide access to each lot created. Access shall be approved and built to Leduc County standards;
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 10% of the title area, 32.37 ha (80.00 ac) x 10% = 3.237 ha (8.00 ac), be deferred against the remnant parcel;
5. The subdivision be registered pursuant Alberta Land Titles requirements.

Pro: Committee Members Rick Smith and Glenn Belozor

Con: Chair Tanni Doblanko

Carried



The Subdivision Authority Committee stated that the land being subdivided is low quality and that no good farmland is being taken out of production. The size of the parcel could allow room for a market garden in the future.

**Proposed Subdivision - Dean & Nicole Payne - NE 17-48-26 W4 (Roll 1565010)**

**D22-027**

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by the applicant Dean Payne. Staff recommends refusal to subdivide a 4.02 ha (9.94 ac) farmstead parcel from a previously subdivided quarter section with a title area of 32.37 ha (80 ac).

**Discussion**

The subject lands are located off Range Road 264 and a half mile north of Township Road 482. The quarter section was previously subdivided into two 80 ac parcels. An application to subdivide a 2.02 ha (4.99 ac) residential parcel from the north 80 acres was approved in 2021.

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 114 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 farmstead 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 third parcel (four titled lots) 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 received regarding this 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. Dean Payne approached and provided the following information:

- Looking to take home, shop and yard site off 80ac and provide farm land to local farmer to expand their operation.





- Kept simple at 10 to encompass trees and for sewage. 1 ac to south of fenced yard would be considered agricultural with 9 ac for yard site, well and trees.
- In favor of farmers owning land rather than leasing as land owners do a better job of land stewardship.
- Stopped farming due to health.

Committee member question:

- Reason for subdivision in 2021?

Applicant response:

- Had completed subdivision in 2021 for son to be able to move to the country and build on that parcel.

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.

**42-22** Committee Member Rick Smith that the application to subdivide a 4.02 ha (9.94 ac) farmstead parcel from a previously subdivided quarter section with a title area of 32.37 ha (80 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, the applicant/owner shall provide access to each lot created. Access shall be approved and built to Leduc County standards;
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 10% of the title area, 32.37 ha (80.00 ac) x 10% = 3.237 ha (8.00 ac), be deferred against the remnant parcel;
5. The subdivision be registered pursuant Alberta Land Titles requirements.

Pro: Committee Members Rick Smith and Glenn Belozer  
Con: Chair Tanni Doblanko



**Carried**

**Subdivision Authority**  
**Tuesday, October 18, 2022 - 48 -**

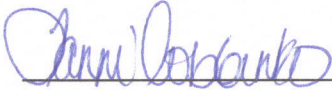
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The Subdivision Authority Committee stated that the property would be sold to a local farmer and continue to produce.

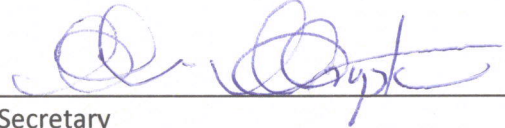
**Adjournment**

Chair Tanni Doblanko declared the Subdivision Authority meeting be adjourned.

The Subdivision Authority meeting was adjourned at 2:10 p.m.



Chairman



Secretary