

**Subdivision Authority
Agenda**

*Council Chamber, Leduc County Centre, Nisku, AB
Tuesday, July 18, 2023*

1. Order – 1:30 p.m.**2. Adoption of agenda****3. Adoption of previous minutes**

Subdivision Authority Minutes – June 20, 2023 ✓

4. Subdivision applications

1. SD23-010 – Sharon Coate – NW 07-49-25-W4; Plan 0524012 Block 1 Lot 1 – Roll 1307010 ✓
2. SD23-016 – Keill Merrium on behalf of John Kozubski – NW 32-48-02-W5; Roll 3102000 ✓
3. SD23-018 – Ronald Goudreau on behalf of Reginald Goudreau – SW 15-50-24-W4; Roll 1066000
4. SD23-021 – Darrin & Doryl Schmidt on behalf of Norman Schmidt – NW 25-49-23-W4; Roll 552000

5. Adjournment

Delegated Authority Decisions: June - 0



✓ Attachment provided

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**Subdivision Authority
Minutes**

*Council Chamber, Leduc County Centre, Nisku, AB
Tuesday, July 18, 2023*

Order and roll call

The meeting was called to order at 1:30 p.m. on Tuesday, June 20, 2023, by Chair Tanni Doblanko with committee members Glenn Belozar, Ray Scobie, Dal Viridi and Rick Smith present.

Other attendees:

- Mr. Duane Coleman - Secretary of Subdivision Authority
- Mrs. Charlene Haverland - Manager, Development Services
- Mr. Dave Desimone – Senior Planner
- Mrs. Adele Pysar - Recording Secretary

Four other individuals attended the meeting.

Agenda Adoption

Duane Coleman advised there is one change to be made to the agenda – Item 4 - #3 – SD23-018 to be deleted, as the applicant/landowner was unable to attend. It will be brought back to the September Subdivision Authority meeting

26-23 Committee Member Glenn Belozar that the agenda for the July 18, 2023 Subdivision Authority Committee meeting be accepted as amended.

Carried Unanimously

Previous Minutes – Tuesday, June 20, 2023

27-23 Committee Member Ray Scobie that the June 20, 2023 Subdivision Authority Committee minutes be accepted as presented.

Carried Unanimously

**Proposed Subdivision – Sharon Coate – NW 7-49-25 W4; Plan 0524012, Block 1, Lot 1
Roll 1307010****SD23-010**

Mr. Dave Desimone, Senior Planner, Development Services, presented a staff report with respect to the application by the applicant Sharon Coate. Staff recommends **refusal** to subdivide a 4.98 ha (12.31 ac) farmstead parcel from a previously subdivided quarter section with a title area of 32.35 ha (79.94 ac).

DISCUSSION

The subject lands are located off Range Road 260 and Township Road 492. In 2005, the quarter section was subdivided into two 80 ac parcels.

The Agricultural Land Suitability Rating indicates the subject land consists of Class 2 & 3 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 107 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 three titled parcels in this quarter section which policies 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.

The Regional Agriculture Master Plan (RAMP) identifies the subject lands within Policy Area 1, which contains the majority of intact contiguous tracts of prime agricultural land. The policies of RAMP stipulate subdivision for non-agricultural uses in Policy Area 1 should minimize the amount of agricultural land taken out of production and must not hinder the operation of surrounding agricultural land uses. The subdivision for non-agricultural land uses is discouraged and may only be considered subject to an Agricultural Impact Assessment and consideration for directing non-agricultural uses to lower capability land, where possible or to cluster sites.

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

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

- This subdivision was brought back to the Subdivision Authority with an revised Exhibit 2 drawing to reduce the size of proposed parcel in order not to take any farmland out of production or harm

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

- Confirmation made that there was approximately 20 m between house and north property line

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

- This subdivision was deferred to this meeting to reduce the parcel size
- Charlene Haverland advised that if the subdivision was approved, an additional condition would need to be added that pursuant to the Land Use Bylaw the proposed subdivision be reduced in size as per exhibit 2

28-23 Chair Tanni Doblanko moved that the application to subdivide a 4.98 ha (12.31 ac) farmstead parcel from a previously subdivided quarter section with a title area of 32.35 ha (79.94 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, 32.35ha (79.94 ac) x 10% = 3.235 ha (7.994 ac), be deferred against the remnant parcel;
5. Pursuant to Section 10.1.2 of the Land Use Bylaw, the proposed subdivision be reduced in size in accordance with Exhibit B
6. The subdivision be registered pursuant Alberta Land Titles requirements.

CARRIED UNANIMOUSLY

The Subdivision Authority did not feel any farmland was being taken out of production or being harmed.

**Proposed Subdivision – Keill Merrium on behalf of John Kozubski – NW 32-48-02-W5;
Roll 3102000**

SD23-016

Mr. Dave Desimone, Senior Planner, Development Services, presented a staff report with respect to the application by the applicant Keill Merrium. Staff recommends **approval** to subdivide one 4.96 ha (12.26 ac) farmstead parcel from a previously subdivided quarter section of 59.93 ha (148.10 ac).

DISCUSSION

The Agricultural Land Suitability Rating System indicates that the subject lands consists of Class 3 & 7 soils. Class 3 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 52 indicating that the proposed subdivision aligns with planning policy.

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 one 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.



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

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

- There were none

Chair Tanni Doblanko called upon the applicant to speak to the subdivision. John Kozubski and Keill Merrium approached and provided the following information:

- land to the south is a lot of gumble *gumbo*
- renter would like to keep land as pasture for animals and hay land
- feel the size that we requested is appropriate
- two good approaches on north and west side of the parcel that are county approved
- do not see any negatives for the larger parcel size
- no room to even put a garden on the smaller parcel size

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

29-23 Committee Member Glenn Belozor moved that the application to subdivide one 4.96 ha (12.26 ac) farmstead parcel from a previously subdivided quarter section of 59.93 ha (148.10 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 ten percent of the title area ($59.93 \text{ ha} \pm \times 10\% = 5.993 \text{ ha} \pm$) shall be deferred to the title of the remnant parcel; and

CARRIED UNANIMOUSLY



The Subdivision Authority felt the land is agricultural land and it will still have agricultural services on it.

Proposed Subdivision – Darrin & Doryl Schmidt on behalf of Norman Schmidt – NW 25-49-23-W44
Roll 552000 **SD23-021**

Mr. Dave Desimone, Senior Planner, Development Services, presented a staff report with respect to the application by the applicants Darrin & Doryl Schmidt. Staff recommends **refusal** to subdivide one 4.64 ha (11.47 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 231 and a half mile north of Highway 623. The quarter section was previously subdivided into two 80 acre parcels and a 4.17 ha (10.3 ac) parcel was subdivided from the southwest of the quarter section in 2015.

The Agricultural Land Suitability Rating indicates the subject land consists of Class 2 & 5, with Class 2 being considered be prime agricultural lands. 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 third parcel from this quarter section and the size of the proposed 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). Leduc County Planning & Development considers the proposed subdivision, which would result in the creation of a third lot in this quarter section, as incremental and unplanned growth that should be avoided.

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

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

- Class 2 & 5 soils – not aligned with the Municipal Government Act
- This property would be close to a change in agricultural areas from South Central/East to Small Holdings

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

- Reason for this subdivision is parents are deceased
- No longer require the home on this property
- Farm the north quarter as well as this 80 ac [parcel]
- As stated in the bylaws only allowed one subdivision per quarter section
- This quarter section was split into two 80 acre parcels maybe 50 years ago

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- When you say you can't have more than so many titles on a quarter section of land – you don't have to venture too far in any direction where there hasn't been more than two titles on any one property – has been done on multiple properties adjacent to this property.
 - Reason for this parcel size – homestead is virgin timber where the spruce trees have never been cut down. On a smaller parcel size there would be no place for a garden or to add an additional building to the yard site; therefore, you would have to take down some of the trees
 - Need to allow for room for whom ever purchases it to be able to do what they want with it
 - With today's large farm equipment, would be hard to get into that corner
 - The larger size would make it more attractive to buyers

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

- Clearwater Creek does sometimes flood
- Beavers heading north could create some problems
- The north part of the proposed lot is all grass

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

- Approximately one mile from country residential lots
- Would need to consider the topography of the land – it could be flooded or it could be put into hay
- Contiguous track of agricultural land
- Natural severance exists
- No farm land taken out of production
- Nothing would be done with the land other than to enjoy it

30-23 Committee Member Rick Smith moved that the application to subdivide one 4.64 ha (11.47 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;



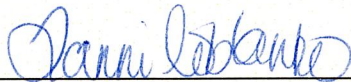
4. Pursuant to Section 669(1) of the Municipal Government Act, municipal reserves in the amount of 10% of the title area, 32.36ha (80.0 ac) x 10% = 3.236 ha (8.0 ac), be deferred against the remnant parcel;
5. The subdivision be registered pursuant Alberta Land Titles requirements.

CARRIED UNANIMOUSLY

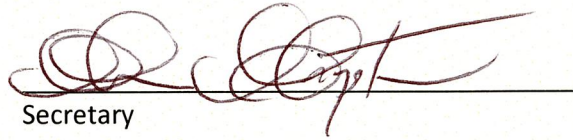
Adjournment

Chair Tanni Doblanko declared the Subdivision Authority meeting be adjourned.

The Subdivision Authority meeting was adjourned at 2:04 p.m.



Chairman



Secretary