

**Subdivision Authority****Agenda***Council Chamber, Leduc County Centre, Nisku, AB****Tuesday, November 21, 2023***

- 
1. **Order – 1:30 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 – September 19, 2023 ✓
  5. **Subdivision applications**
    1. SD23-024 – Darcy Kublik – SW 10-49-23 W4 – Roll 494000 ✓
    2. SD23-032 – Dennis & Susan Sekora on behalf of Jason Schipperheijn – SE 18-48-27 W4 - Roll 1989010 ✓
    3. SD23-036 – Select Engineering on behalf of Farm40 Ventures Inc. – SW 5-51-24 W4 – Roll 6368000 ✓
  6. **Adjournment**

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

*✓ Attachment provided*

*Leading the way for people and business to thrive.*



**Subdivision Authority  
Minutes**

*Council Chamber, Leduc County Centre, Nisku, AB  
Tuesday, November 21, 2023*

---

**Order and roll call**

The meeting was called to order at 1:30 p.m. on Tuesday, November 21, 2023, by Acting Chair Alan Grayston, Secretary of the Subdivision Authority with Chair Tanni Doblanko and committee members Glenn Belozar, Ray Scobie, Dal Viridi and Rick Smith present.

**Other attendees:**

- Mr. Alan Grayston - Secretary of Subdivision Authority
- Mrs. Chelsey Iles – Municipal Engineer
- Mr. Dave Desimone – Senior Planner
- Mrs. Adele Pysar - Recording Secretary
- Mr. Amro Kotb - Manager

5 other individuals attended the meeting.

**Organizational Meeting of the Authority**

- a) Mr. Alan Grayston, Secretary of Subdivision Authority asked for nominations for election of Chairperson. Committee Member, Ray Scobie nominated Committee Member Tanni Doblanko. A second nomination was called. A third nomination was called. No further nominations came forward.

**37-23** Glenn Belozar moved nominations cease. Alan Grayston confirmed Committee Member Tanni Doblanko as Chair of the Subdivision Authority for a returning term.

- b) Chair Tanni Doblanko asked for nominations of Vice Chair. Committee Member Glenn Belozar nominated Committee Member Dal Viridi. A second nomination was called. A third nomination was called. No further nominations came forward.

**38-23** Glenn Belozar moved nominations cease. Tanni Doblanko confirmed Committee Member Dal Viridi as Vice Chair of the Subdivision Authority.

**Agenda Adoption**

**39-23** Committee Member Rick Smith that the agenda for the November 21, 2023 Subdivision Authority Committee meeting be accepted as revised with the addition of Organizational Meeting of the Authority.

Carried Unanimously

**Previous Minutes – Tuesday, September 19, 2023**

**40-23** Committee Member Dal Viridi that the September 19, 2023, 2023 Subdivision Authority Committee minutes be accepted as revised with the correction of the name of Ray Scobie in motion 31-23.

Carried Unanimously

*SP*



**Proposed Subdivision – Darcy Kublik - SW-10-49-23-W4**  
**Roll 1588020**

**SD23-024**

Mr. Dave Desimone, Senior Planner, Development Services, presented a staff report with respect to the application by the applicant Darcy Kublik. Staff recommends **refusal** to subdivide a 1.26 ha (3.11 ac) residential parcel from a previously subdivided quarter section with a title area of 62.69 ha (154.92 ac).

### DISCUSSION

The subject lands are located off Range Road 233 and a half mile south of Township Road 492. A 1.21 ha (3 ac) parcel was subdivided from the southwest corner of the quarter section in 2020.

The Agricultural Land Suitability Rating indicates the subject land consists of Class 2 & 5 soil with Class 2 being considered 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 158 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 proposed subdivision being 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). Leduc County Planning & Development considers the proposed subdivision, which would result in the creation of a second lot in this quarter section, as incremental and unplanned growth that should be avoided.

Policy 4.3.1.7 of the Municipal Development Plan subdivision in Agricultural Area C (South Central /East) shall be either a Farmstead subdivision or a Physical Severance. The proposed parcel is undeveloped and is defined as a Residential subdivision, which is not supported by the policies of this agricultural area.

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.

- There will be four residences on this quarter section with one parcel already being subdivided out
- Policy for number of residences on an a quarter section of agricultural land is two primary residences and two secondary residences, which would be limited to one mobile home and one garden suite or secondary suite.
- There is a house under construction on parcel previously subdivided out
- Chelsey Iles advised the guidelines are 30 m between accesses but each parcel needs an access

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

- House under construction is not on proposed subdivision
- Land requesting to be subdivided is to north of this house
- Reason for subdividing - have come into some financial difficulties and recently diagnosed with lung cancer
- Necessary to clean up some bills
- The land is rough and rolling – only suitable for pasture – not farmable
- Live two miles south on main farmstead



- 
- There are six to seven acreages on other side of range road 233 to the south
  - No problem with traffic

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

There was none

**41-23** Committee Member Smith moved that the application to subdivide a 1.26 ha (3.11 ac) residential parcel from a previously subdivided quarter section with a title area of 62.69 ha (154.92 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, 62.69ha (154.92 ac) x 10% = 6.269 ha (15.492 ac), be deferred against the remnant parcel;
5. The subdivision be registered pursuant to Alberta Land Titles requirements.

Pro: Committee Members Glenn Belozar, Ray Scobie, Dal Viridi and Rick Smith

Con: Chair Tanni Doblanko

**CARRIED**

The Subdivision Authority did not feel any large tracks of agricultural land were being taken out of production. As well, it is an area where people have made their home on other subdivisions throughout the area. It is a natural area for other families to move into.

**Proposed Subdivision – Dennis & Susan Sekora on behalf of Jason Schipperheijn – SE 18-48-27-W4**  
**Roll 1989010**

**SD23-032**

Mr. Dave Desimone, Senior Planner, Development Services, presented a staff report with respect to the application by the applicants Dennis & Susan Sekora on behalf of Jason Schipperheijn. Staff recommends **refusal** to subdivide one 1.96 ha (4.84 ac) farmstead parcel from a previously subdivided quarter section of 24.28 ha (60 ac).

*ep*



---

**DISCUSSION**

The subject lands are located at Township Road 482 and Range Road 275 within the Central Conservation Area of the Wizard Lake Area Structure Plan. The quarter section was previously subdivided in 2019 into three (3) parcels of approximately 40 acres in size with one remnant parcel of 60 acres, creating four (4) titled lots in the quarter section.

The Central Conservation Area of the Wizard Lake Area Structure Plan provides for opportunities for small scale development when achieved in an environmentally and ecologically sensitive way, either in traditional country residential or cluster country residential form. Policy 13.10A of the Wizard Lake Area Structure Plan stipulates that outline plans with supporting studies will be required for all multi-lot proposals. This application proposes to subdivide one 1.96 ha (4.84 ac) farmstead parcel from the remnant parcel of 24.28 ha (60 ac), which would create a total of five (5) titled lots within the quarter section. The Leduc County Land Use Bylaw defines multi-lot residential subdivision as containing 4 or more contiguous lots created for residential purposes. An outline plan has not been adopted to demonstrate how further subdivision within this quarter would align with the goals and objectives of the Central Conservation Area. For this reason, administration considers this application to represent incremental and unplanned development which is counter to the objectives of the Wizard Lake Area Structure Plan.

The Leduc County Environmentally Significant Area Study identifies the subject lands to be within the Wizard Lake Environmentally Significant Area. Policy 6.1.0.2 of the Municipal Development Plan states where there is evidence of an Environmentally Significant Area within the boundaries of, or adjacent to, a proposed subdivision an Environmental Impact Assessment may be required to delineate the boundary of the Environmentally Significant Area and identify and mitigate the potential impact that development or subdivision may have on the Environmentally Significant Area. This application does not include an Environmental Impact Assessment to identify the boundaries of the Wizard Lake ESA and demonstrate if there are any impacts from the proposed subdivision.

Additionally, Policy 11.8.4H of the Wizard Lake Area Structure Plan stipulates that any subdivision with four or more lots shall have an internal road built to Leduc County Design Standards. It would not be expected that an internal road would be designed and built for one additional lot from this quarter section, however, prior to further subdivision it would be expected an outline plan should be adopted to demonstrate how further subdivision may occur on the quarter section to address the policies of the Wizard Lake Area Structure Plan and provide a design to include internal access.

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.

- Two residences allowed on a property of this size, with second residence being restricted to a manufactured home, garden suite or secondary suite.

Chair Tanni Doblanko called upon the applicant to speak to the subdivision. Dennis & Susan Sekora approached and provided the following information:

- Have been living there for 45 years
  - In the beginning, it was a whole different scenario
  - Were given a 99 years lease, bought the land and paid for it
  - Cleared most of the land by hand, planted trees, raspberry bushes and made a garden.
  - Put a modular home on property and built a garage and barn.
  - Son passed away, have twin daughters
  - Always paid taxes – it's like a homestead to us – make it out own
- 12



- 
- Can't do anything without the title
  - If Jason Schipperheijn (landowner) ever wants to sell, won't be able to with us living there
  - Want to make everything right

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

There was none.

**42-23** Chair Member Tanni Doblanko moved that the application to subdivide one 1.41 ha (3.49 ac) residential parcel from a previously subdivided quarter section of 62.31 ha (153.97 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 2.428 ha (6.00 ac) be deferred on the title of the remnant lands; and
5. The subdivision be registered pursuant to Alberta Land Titles requirements.

Carried Unanimously

The Subdivision Authority felt that the applicants have made this their homestead. After you have made the land your homestead, one feels entitlement to these lands. Character of the region – home is part of the homestead. Administration follows County policy but are not heartless.

**Proposed Subdivision – Select Engineering on behalf of Farm40 Ventures Inc. – SW 05-51-24-W4 –  
Roll 6368000**

**SD23-036**

Mr. Dave Desimone, Senior Planner, Development Services, presented a staff report with respect to the application by the applicant Eric Sehn of Select Engineering. Staff recommends **approval** to subdivide the lands into 2 stages for industrial development. Stage 1A consisting of one lot and one public utility lot and Stage 1B consisting of three lots all intended for industrial land use from a title area of 22.653 ha (55.84 ac).



---

**DISCUSSION**

The subdivision application is in compliance with the Municipal Development Plan, Leduc County Land Use Bylaw, and Edmonton Metropolitan Region Growth Plan. The subject lands are identified as within North Nisku in the Nisku Major Employment Centre Area Structure Plan (Nisku MEC) which as approved by Council on June 22, 2021. The policies of the Nisku MEC stipulate Greenfield or infill areas require a Local Area Structure Plan prior to any further development. Leduc County is currently undertaking a Local Area Structure Plan for the area and surrounding lands known as the Township Road 510 Local Area Structure Plan. The proponents are working collaboratively with Leduc County towards the design to ensure it meets the new Local Area Structure Plan for the area. Administration recommends this application be approved at this time as it meets the ultimate design and policies of the Draft Township Road 510 LASP, in addition the subject parcel is already districted Industrial therefore the lands are permitted for development and the existing 30<sup>th</sup> Avenue service road is present.

A development agreement will address the specifics of utilities, landscaping, roads and construction requirements. Contribution to off-site levies shall be in accordance with the County's Greater Nisku and Area Off-site Levy Policies and Procedures and any endeavors to assist will be identified through the development agreement. The proposed 12<sup>th</sup> Street will provide for future connection to the Nisku Spine Road. The proposed engineered storm water management system will accommodate the newly proposed lots and be approved by Alberta Environment.

Municipal reserves are payable as cash in lieu at a value of \$155,105.00 per acre.

The Land Use Bylaw states the purpose of this District is to accommodate a range of compatible industrial and commercial uses, the location of which is guided by the Nisku Major Employment Centre Area Structure Plan. Therefore, the subject lands are at a current developable state which would allow for the submission of a development permit without a subdivision requirement.

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

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

Dave Desimone requested to strike condition #2 - traffic impact assessment – in the list of conditions. This assessment can be done at any time. Subdivision fits in with Leduc County plans

Chair Tanni Doblanko called upon the applicant to speak to the subdivision. Brian Middleton, & Eric Sehn approached and provided the following information:

- Appreciate the great cooperation we receive from administration. Without this, things would not happen as smooth as they do.

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

There was none

**43-23** Committee Member Glenn Belozor moved that the application to subdivide the lands into two stages for industrial development with stage 1A consisting of one lot and one public utility lot and Stage 1B consisting of three lots all intended for industrial land use from a title area of 22.653 ha (55.84 ac) be **approved** with the following conditions:

1. Pursuant to Section 655(1) (b) of the Municipal Government Act, the developer/owner enter into a development agreement with Leduc County and abide by the terms therein. The development agreement shall include, but is not limited to the:



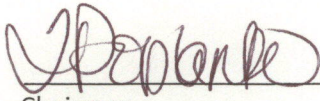
- 
- a. provision for the design, construction and engineered drawings and signage of 30<sup>th</sup> Avenue and 12<sup>th</sup> Street including temporary turnaround facilities to Leduc County Development Standards;
  - b. design, construction, and engineered drawings of a storm water management facility in accordance with a Storm Water Management Study. Approval of the storm water management system from Alberta Environment is required;
  - c. provision for widening and back slope agreements, as required;
  - d. provision respecting landscaping;
  - e. provision for lot grading and/or filling;
  - f. provision for the extension of water and sewer services;
  - g. provision for endeavors to assist;
  - h. provision for construction and reimbursement of any off-site levy portions within the Greater Nisku Off-site levy Bylaw;
  - i. fencing of the public utility lot; if required
  - j. payment of off-site levies in accordance with the Greater Nisku Off-site Levy Bylaw;
  - k. provision for a temporary emergency access to the satisfaction of Leduc County.
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 669(1) of the Municipal Government Act, municipal reserves in the amount of ten percent of the title area 55.84 ac shall be paid as cash in lieu, in the amount of \$866,106.32 (\$155,105.00 per acre value x 5.58 acres) and in the following payment schedule:
- 1) 50% upfront = \$433,053.16 due immediately upon execution of agreement
  - 2) \$216,526.58 in 2024 year 1
  - 3) \$216,526.58 in 2025 year 2.
4. The subdivision be registered pursuant to Alberta Land Titles requirements.

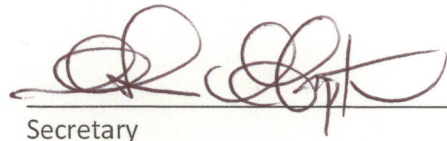
**Carried Unanimously**

**Adjournment**

Chair Tanni Doblanko declared the Subdivision Authority meeting be adjourned.

The Subdivision Authority meeting was adjourned at 2:06 p.m.

  
Chairman

  
Secretary