



Subdivision Authority

Agenda

Council Chamber, Leduc County Centre, Nisku, AB

Tuesday, December 17, 2024

1. Order – 1:30 p.m.

2. Adoption of agenda

3. Adoption of previous minutes

Subdivision Authority Minutes – October 15, 2024

✓

4. Subdivision applications

1. SD24-057 – Oleksandr Malovanyi – NW 24-50-22-W4 - Plan 1026553,
Block 1 Lot 1 – Roll 285010

✓

2. SD24-058 – Benjie & Sonja Hansen – SW 09-48-26-W4 – Roll 1536010

✓

3. SD24-061 – Frank & Ann Johnsen – NE 29-50-24 W4 – Roll 1116000

✓

4. SD24-068 – Murphy Farming Company Inc. – NE (EH) 18-50-27-W4 –
Roll 2275000

✓

5. Adjournment

**Delegated Authority Decisions: October - 3
 November - 3**

✓ Attachment provided

**Subdivision Authority
Minutes**

*Council Chamber, Leduc County Centre, Nisku, AB
Tuesday, December 17, 2024*

Order and roll call

The meeting was called to order at 1:30 p.m. on Tuesday, December 17, 2024, by Mr. Alan Grayston, Acting Chair of Subdivision Authority and committee members Tanni Doblanko, Glenn Belozar and Ray Scobie were present. Committee member Dal Virdi attended the meeting at 1:50 p.m. Committee member Rick Smith was absent.

Other attendees:

- Mr. Alan Grayston - Secretary of Subdivision Authority
- Mrs. Charlene Haverland – Manager, Development Services
- Mr. Sarmad Abbasi, Senior Planner, Development Services
- Mrs. Laurie Stoetzel - Recording Secretary

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

57-24 Committee Member, Ray Scobie 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. Chair Tanni Doblanko nominated Committee Member Dal Virdi. A second nomination was called. A third nomination was called. No further nominations came forward.

58-24 Committee Member, Glenn Belozar moved nominations cease. Tanni Doblanko confirmed Committee Member Dal Virdi as Vice Chair of the Subdivision Authority.

Agenda Adoption

59-24 Committee Member Ray Scobie that the agenda for the December 17, 2024 Subdivision Authority Committee meeting be accepted with additions. Item 4.5 was added for future meetings for 2025.

CARRIED UNANIMOUSLY

Previous Minutes – Tuesday, October 15, 2024

60-24 Committee Member Glenn Belozar that the October 15, 2024 Subdivision Authority Committee minutes be accepted as presented.

CARRIED UNANIMOUSLY



Proposed Subdivision – Oleksandr Malovanyi – NW 24-50-22-W4; Plan 1026553 Block 1 Lot 1 **SD24-057**

Mr. Sarmad Abbasi, Senior Planner, Development Services, presented a staff report with respect to the application by the applicant on behalf of Oleksandr Malovanyi. Staff recommends **refusal** to subdivide a 0.98 ha± (2.42 ac±) parcel from a title area of 8.09 ha± (20.00 ac±).

DISCUSSION

The subject land abuts Range Road 221 to the west, and is located approximately 6.4 km northeast of the Hamlet of New Sarepta. The quarter section consists of 6 lots, with the most recent subdivision occurring in 2009.

According to the Municipal Development Plan, the subject lands are located within the Agricultural Area B. The applicant is seeking to apply for a residential subdivision, which is in accordance with policy 4.3.1.8 of the Municipal Development Plan. However, Policy 4.3.1.9 states that there shall be no more than two (2) subdivisions (three titled lots) per unsubdivided quarter section in Area B. This application does not meet policy 4.3.1.8 as it proposes the creation of a 7th lot in the quarter section.

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 for the proposed subdivision.

Administration's Review

1. County policy states that no more than three access approaches be approved for every 800 meters of County Collector road. If there are to be more than three access approaches required, then access to the subdivision shall be connected by an internal subdivision road or service road. This 800 meters of Range Road 221 already exceeds the 3 access approach limit, therefore the proposed access to the new parcel would not meet Leduc County standards.
2. The topography in this area appears to generally slope from west to east. As no grading or drainage plan was submitted alongside the application, Administration has concerns regarding potential drainage issues with the proposed subdivision.
3. A potable water study will need to be conducted before a well is drilled.
4. There are existing pipeline right of ways through the subject lands.
5. There are a number of accesses through the quarter section with no access agreements registered on title, utilizing the Enermark Pipeline roads and Right of Ways. The accesses are for the utilization to the well heads. Enermark needs to provide approval to use the access for residential purposes before the subdivision is considered.

Chair Tanni Doblanko asked if there were any other questions for administration.

- Sarmad Abbasi advised that the piece being subdivided would not include the road.
- Charlene Haverland advised that the oil company does not have a right of way registered on title, therefore the existing road is a private road.

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

- has a big family living in a mobile home and would like to build a bigger home on the new lot.
- has a barn and shed for animals and brings water to the animals and uses long extension cord for power. Would be difficult having 2 services to the lot.
- plan on parents coming to live in the mobile home.



Chair Tanni Doblanko asked if there were any other questions for administration.

Charlene Haverland provided the following information:

- a single family residence could be built on the existing parcel and the mobile home would be considered as the secondary dwelling.
- power could come off the existing pole.
- only restriction is access due to the pipelines.
- potable water study would be required if application is approved.

61-24 Committee Chair Tanni Doblanko moved that the application to subdivide a 0.98 ha± (2.42 ac±) parcel from a title area of 8.09 ha± (20.00 ac±) be **refused** as recommended by administration 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:
 - a. Policy 4.3.1.8 which states to conserve agricultural land on a comprehensive basis for a broad range of agricultural operations in Agricultural Area B, subdivision shall be limited to a (a) Physical severance; (b) Farmstead subdivision; (c) Residential subdivision; (d) agricultural subdivision; or (e) Lot line adjustment.
 - b. Policy 4.3.1.9 which states there shall be no more than two (2) subdivisions (three titled lots) per unsubdivided quarter section in Agricultural Area B.
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.

CARRIED UNANIMOUSLY

Proposed subdivision – Benjie & Sonja Hansen – SW 9-48-26-W4 – Roll 1536010

SD24-058

Mr. Sarmad Abbasi, Senior Planner, Development Services, presented an updated staff report with respect to the application by the applicants Benjie & Sonja Hansen. Staff recommends **refusal** to subdivide a 5.04 ha± (12.46 ac±) parcel from a title area of 31.97 ha± (79.00 ac±).

DISCUSSION

The subject land abuts Range Road 264 to the west and Township Road 481 to the south. The quarter section consists of two lots, with the split occurring prior to 1995.

According to the Municipal Development Plan, the subject lands are located within the Agricultural Area A, where policies are intended for extensive field crops and confined feeding operations on large tracts of land.

In accordance with policy 4.3.1.6 of the Municipal Development Plan, to conserve agricultural land on a comprehensive basis for a broad range of agricultural operations in Agricultural Area A, subdivision shall be limited to a physical severance, farmstead subdivision, residential subdivision or a lot line adjustment. The current application is defined as a farmstead subdivision. The applicant is applying for a larger lot than what would be required to accommodate a farmstead. Policy 4.3.1.7 states that there shall be no more than one subdivision per unsubdivided quarter section in Area A. This application does not meet policy 4.3.1.7 as it proposes the creation of a 3rd lot within the quarter section.



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 for the proposed subdivision.

Chair Tanni Doblanko asked if there were any questions for administration.

- There were none.

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

- daughter would like to buy the property to use for horses and agricultural use.
- original farmstead of about 4 ac is too small for horses so extending it to 12 ½ ac would be favorable.
- private sewage disposal is open discharge.

Chair Tanni Doblanko asked if there were any other questions for administration.

- Sarmad Abbasi confirmed the land is prime agricultural.

62-24 Committee Member Ray Scobie moved that the application to subdivide a 3.88 ha± (9.59 ac±) parcel from a title area of 16.20 ha± (40.03 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(g) of the Matters Related to 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;
3. Pursuant to Section 669(1) of the Municipal Government Act, Municipal Reserves in the amount of 10% of the title area be deferred against the remnant lot;
4. The subdivision be registered pursuant to Alberta Land Titles requirements.

CARRIED UNANIMOUSLY

The Subdivision Authority Committee felt that the parcel is a good size for a hobby farm and is a benefit to Leduc County having young families residing in Leduc County.

Proposed subdivision – Frank & Ann Johnsen – NE 29-50-24 W4 – Roll 1116000

SD24-061

Mr. Sarmad Abbasi, Senior Planner, Development Services, presented an updated staff report with respect to the application by the applicants Frank & Ann Johnsen. Staff recommends **refusal** to subdivide a 3.44 ha± (8.50 ac±) parcel from a title area of 61.92 ha± (153.00 ac±).



DISCUSSION

The subject land abuts Range Road 224 to the east, and Township Road 505 to the north. The quarter section is adjacent to the City of Beaumont, and contains only one subdivision which was approved in 1991.

The subject lands are designated as an Urban Residential Area in the Intermunicipal Planning Framework (IPF) agreement. IPF policy calls for municipal water and sewer servicing, along with density targets to be met for any new development in the Urban Residential Area. The proposed subdivision would not meet the requirement due to the proposed land use for a winery. The subject lands are also located in the East Vistas Area Structure Plan, which calls for planned development which is typically guided by Outline Plans. However, the creation of an Outline Plan is not required at the subdivision stage for an individual lot. Administration advises the proposed subdivision may or may not impact the ability to meet the density targets without the entire quarter section planned out accordingly.

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

Chair Tanni Doblanko asked if there were any questions for administration.

- Sarmad Abbasi provided the following comments:
 - As per the ASP, municipal servicing is required when a new lot is created.
 - a residence could be built on the remnant.

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

- it could be 15 to 20 years before new subdivisions are developed.
- would like assurance that existing residence will be safe.
- fruit trees would remain.
- all winery operation is contained in yard site.

Chair Tanni Doblanko asked if there were any other questions for administration.

- Charlene Haverland advised that the City of Beaumont has jurisdiction over Range Road 244.

63-24 Committee Chair Tanni Doblanko moved that the application to subdivide a 3.44 ha± (8.50 ac±) parcel from a previously subdivided quarter section with a title area of 61.92 ha± (153.00 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 Part 3, Section 11 of the Matters Related to Subdivision and Development Regulation, the applicant/owner shall provide access to the proposed and remnant parcels, to the satisfaction of Leduc County and the City of Beaumont;
3. Pursuant to Section 662(1) of the Municipal Government Act, the applicant/owner shall dedicate by caveat, a 10 meter right of way on the north side of the remnant parcel boundary along Township Road 505, to the satisfaction of Leduc County;



4. Pursuant to Section 9(g) of the Matters Related to 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 ten percent of the titled area be deferred against the remnant lot; and
6. The subdivision be registered pursuant to Alberta Land Titles requirements.

CARRIED UNANIMOUSLY

Proposed Subdivision - Murphy Farming Company Inc. – NE (EH) 18-50-27 W4 – Roll 2275000 SD24-068

Mr. Sarmad Abbasi, Senior Planner, Development Services, presented a staff report with respect to the application by the applicant Eric Murphy on behalf of Murphy Farming Company Inc. Staff recommends **refusal** to subdivide a 3.51 ha± (8.67 ac±) parcel from a previously subdivided quarter section with a title area of 32.71 ha± (80.83 ac±).

DISCUSSION

The subject land abuts Range Road 275 to the east and Township Road 502A to the south. The quarter section consists of two lots, with the split occurring prior to 1995.

According to the Municipal Development Plan, the subject lands are located within the Agricultural Area A, where policies are intended for extensive field crops and confined feeding operations on large tracts of land. In accordance with policy 4.3.1.6 of the Municipal Development Plan, to conserve agricultural land on a comprehensive basis for a broad range of agricultural operations in Agricultural Area A, subdivision shall be limited to a physical severance, farmstead subdivision, residential subdivision or a lot line adjustment. The current application is defined as a farmstead subdivision. Policy 4.3.1.7 states that there shall be no more than one subdivision per unsubdivided quarter section in Area A. This application does not meet policy 4.3.1.7 as it proposes the creation of a third titled lot within the quarter section.

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 for the proposed subdivision.

Chair Tanni Doblanko asked if there were any questions for administration.

- There were none.

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

- rented the land for years then bought it and continues to farm
- brother lives in the house
- won't take away cultivated land

JD

Chair Tanni Doblanko asked if there were any other questions for administration.

- There were none.

64-24 Committee Member Belozer moved that the application to subdivide a 3.51 ha± (8.67 ac±) parcel from a previously subdivided quarter section with a title area of 32.71 ha± (80.83 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 Part 3, Section 11 of the Matters Related to 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 standards;
3. Pursuant to Section 9(g) of the Matters Related to 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 3.27 ha (8.08 ac) be deferred against the remnant lot;
5. The subdivision be registered pursuant to Alberta Land Titles requirements.

CARRIED UNANIMOUSLY

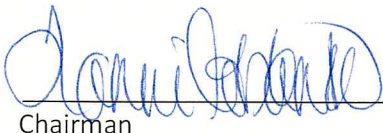
Future meetings in 2025

January Subdivision Authority Meeting is cancelled as there are no new files ready for review due to Canada Post strike. Next meeting is February 18, 2025.

Adjournment

Chair Tanni Doblanko declared the Subdivision Authority meeting be adjourned.

The Subdivision Authority meeting was adjourned at 2:30 p.m.



Chairman



Secretary