

Subdivision Authority**Agenda***Council Chamber, Leduc County Centre, Nisku, AB****Tuesday, February 20, 2024*****1. Order – 1:30 p.m.****2. Adoption of agenda****3. Adoption of previous minutes**

Subdivision Authority Minutes – January 16, 2024

✓

4. March 19, 2024 SA MeetingChoose another date for meeting. All of council attending RMA conference on March 19th.**5. Subdivision applications**

1. SD23-041 – Pete & Brigit Mulder - NE 07-48-23 W4 – Roll 336000

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2. SD23-044 – Natalie Tremblay on behalf of Laurence & Janet Willis –
NE 32-50-23 W4 – Roll 723000

✓

3. SD23-045 – Dan & Susan Senft – NW 07-48-23 W4 – Roll 337000

✓

6. Adjournment**Delegated Authority Decisions: January - 1**

✓ Attachment provided

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Subdivision Authority Minutes

Council Chamber, Leduc County Centre, Nisku, AB
Tuesday, February 20, 2024

Order and roll call

The meeting was called to order at 1:30 p.m. on Tuesday, February 20, 2024, by Chair Tanni Doblanko with Committee Members Ray Scobie, Dal Virdi and Rick Smith present. Glenn Belozer was absent.

Other attendees:

- Mr. Alan Grayston - Secretary of Subdivision Authority
- Mr. Dave Desimone – Senior Planner
- Mrs. Adele Pysar - Recording Secretary

4 other individuals attended the meeting.

Agenda Adoption

06-24 Committee Member Dal Virdi that the agenda for the February 20, 2024 Subdivision Authority Committee meeting be accepted as presented.

Carried Unanimously

Previous Minutes – Tuesday, January 16, 2024

07-24 Committee Member Ray Scobie that the January 16, 2024 Subdivision Authority Committee minutes be accepted as presented.

Carried Unanimously

Tuesday, March 19, 2024 Subdivision Authority meeting was changed to Thursday, March 21, 2024. A calendar reminder will be sent out.

Proposed Subdivision – Pete & Brigit Mulder – NE 07-48-23-W4 – Roll 336000

SD23-041

Mr. Dave Desimone, Senior Planner, Development Services, presented a staff report with respect to the application by the applicant Pete Mulder on behalf of Pete & Brigit Mulder. Staff recommends refusal to subdivide a 1.45 ha± (3.58 ac±) residential parcel from a previously subdivided quarter section with a title area of 14.07 ha± (34.77 ac±).

DISCUSSION

The subject lands are located off Range Road 235 and Highway 616. The quarter section was subdivided in half in 2013 and a 6.0 ha (15.17 ac) parcel was subdivided from the titled lands in 2014.

The Agricultural Land Suitability Rating indicates the subject land consists of Class 2 & 5 soil. Class 2 is 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 151 which indicates that the proposed subdivision does not accord with planning policy. The score is attributed to the proposed parcel representing the third parcel on this quarter section and that the parcel is a Residential subdivision as the proposed lot includes a shop accessory to the existing home on the remnant 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 four lots in this quarter section, as incremental and unplanned growth that should be avoided.

Additionally, the proposed lot is a Residential subdivisions. Policy 4.3.1.7 of the Municipal Development Plan stipulates in Agricultural Area C (South Central /East), subdivision shall be limited to a Farmstead subdivision or a Physical Severance.

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. Dave Desimone confirmed the following:

- There is no existing home on proposed parcel
- Proposed parcel would be the 3rd parcel out
- No adjacent landowner comments were received
- There would be a total of approximately 17 lots around the lake if this one were approved
- Should possibly be looking at an Area Structure Plan
- The area is developing. How do we manage protection of lake, buffer, development around the lake. Council direction to give a time line.
- How is County of Wetaskiwin treating their part of lake – to follow up on this information

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

- Currently reside on this property
- Proposed lot is the strip at south end of property
- No agricultural land being taken out of production
- A 15 acre parcel to north of this parcel was subdivided out
- A road built in 1930's goes through this property but belongs the county. Is looked after by Mr. Mulder
- Do not own this road that goes up to Highway 616
- To subdivide off this lot would not create much agricultural loss – perhaps small portion could be used for a garden
- Lay of the land pushes the water south
- There is an access to the proposed parcel
- There is a natural road ditch along the north side of the proposed parcel

Chair Tanni Doblanko asked if Committee Members had any questions or comments for administration. Dave Desimone confirmed the following:

- Road referred to by applicant is crown land not technically road right of way
- Landowner does not own this road according to legal title
- This road is a natural separated piece of land

08-24 Committee Member Rick Smith moved that the application to subdivide a 1.45 ha± (3.58 ac±) residential parcel from a previously subdivided quarter section with a title area of 14.07 ha± (34.77 ac±) be **deferred** until the next subdivision authority meeting to give administration time to confirm if there is a county road running through this property, which is not part of this property, creating a natural severance and reason for a subdivision.

CARRIED UNANIMOUSLY

**Proposed Subdivision – Natalie Tremblay on behalf of Laurence & Janet Willis – NE 32-50-23-W4
Roll 723000**

SD23-044

Mr. Dave Desimone, Senior Planner, Development Services, presented a staff report with respect to the application by the applicant Natalie Tremblay on behalf of Laurence & Janet Willis. Staff recommends **refusal** to subdivide one 8.09 ha (20 ac) farmstead parcel from a previously subdivided quarter section of 31.74 ha (78.43 ac).

DISCUSSION

The subject lands are located at Township Road 510 and Range Road 234. The quarter section was subdivided into two parcels in 1974.

The Agricultural Land Suitability Rating indicates the subject land consists of Class 2 & 5 soil, with Class 2 considered Prime Agricultural Land. An Agricultural Impact Assessment was completed with the subdivision application and returned a score of 121 which indicates that the proposed subdivision does not accord with planning policy. The score was attributed to the high capability of the agricultural land, the proposed subdivision being the 2nd parcel out of the quarter section and the proposed parcel being of a larger size than necessary to subdivide the existing farmstead which does not align with Leduc County policy.

According to the Municipal Development Plan the subject lands are located within Agricultural Area B (North Central) where policies are aimed at conserving large tracts of prime agricultural land with minimal fragmentation primarily for intensive cropping. In accordance with policies 4.3.1.5 and 4.3.1.6 of the Municipal Development Plan, in Agricultural Area B, subdivision shall be limited to no more than one subdivision per quarter section (two titled lots) and limited to either a farmstead subdivision or physical severance.

The proposed subdivision location falls outside of the Priority Growth Area indicated by the Edmonton Metropolitan Region Growth Plan. Traditional country residential development outside of Priority Growth Areas must be supported by an approved Municipal Development Plan and Area Structure Plan. There is no Area Structure Plan overarching the subject lands.

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

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

- North side of proposed lot is a natural ravine or tree line
- There is a residence there as well as an access into the property

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- This property borders country residential holdings area

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

- Was not aware that administration may not support subdivision application – but hope for a positive outcome for the reasons that were provided
- Surrounding land uses are favorable to this application
- This subdivision is favorable to the Regional Agriculture Master Plan policy
- Proposed farmstead aligns with the Regional Agriculture Master Plan and Edmonton Metropolitan Regional Board
- Provides flexibility we are seeking from the County
- Existing agricultural uses not changing
- None of existing uses are proposed to change because of this subdivision
- Owners believe proposed subdivision aligns with county objectives

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

- No inherent change in use coming from this proposed subdivision
- Understanding is that the remnant parcel would be sold to the daughter
- Class 2 and 5 soils – not the best land
- No crops being grown on this land

09-24 Committee Member Rick Smith moved that the application to subdivide one 8.09 ha (20 ac) farmstead parcel from a previously subdivided quarter section of 31.74 ha (78.43 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, 31.74 ha (78.43 ac) x 10% = 3.174 ha (7.843 ac), be deferred against the remnant parcel;
5. The subdivision be registered pursuant to Alberta Land Titles requirements.

CARRIED UNANIMOUSLY

The Subdivision Authority did not feel this subdivision was going to take any farmland out of production. Will not create any additional traffic as the golf course already brings in a lot of people. Fits nicely into where we are going with our new Municipal Development Plan.

Proposed Subdivision – Dan & Susan Senft – NW 07-48-23-W4 – Roll 337000

SD23-045

Mr. Dave Desimone, Senior Planner, Development Services, presented a staff report with respect to the application by the applicant Dan & Susan Senft. Staff recommends **refusal** to subdivide 3 residential lots of 1.21 ha (2.99 ac), 1.21 ha (2.99 ac) and 4.0 ha (9.88 ac) from a previously subdivided quarter section with a title area of 40.12 ha (99.15 ac).

DISCUSSION

The subject lands are located off Range Road 240 and Highway 616. A 2.53 ha (6.26 ac) parcel was subdivided from the northeast corner of the property, adjacent to Coal Lake and Highway 616, prior to 1971 for lake access and parking.

The Agricultural Land Suitability Rating indicates the subject land consists of Class 2 & 5 soil. Class 2 is 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 138 which indicates that the proposed subdivision does not accord with planning policy. The score is attributed to the proposed parcels representing four parcels on this quarter section and that the parcels are Residential subdivisions.

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 five lots in this quarter section (if the lot for parking is to be included in this count), as incremental and unplanned growth that should be avoided.

Additionally, the three proposed lots are Residential subdivisions. Policy 4.3.1.7 of the Municipal Development Plan stipulates in Agricultural Area C (South Central /East), subdivision shall be limited to a Farmstead subdivision or a Physical Severance.

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.

- Subdivision would create four parcels on this quarter section
- Comments from Agriculture were that the agricultural capability of the proposed subdivisions is considered high; however, the size of the non-treed areas are not suitable for large area farming.
- There are five existing approaches into this property along Range Road 240. There would need to be four approaches, one into each of three proposed lots and one into the remnant parcel. Two of existing

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approaches could be removed, with a new approach to be constructed into the proposed most southerly 1.21 ha lot

- Possible to have a shared approach, but not always in favor of these
- Some discussion took place on why the lot boundaries were created in the way they were – why are the lots not connected as well as the rough uneven shape of them
- Applicant has some information regarding topography and drainage of the land
- Pandhandler lot should be 20m wide to allow for proper drainage
- From a site inspection that was conducted, two of the parcels had areas that were cleared and should be developable areas
- Area Structure Plan around the lake would allow development into a lake area.
- Many lots there could be made smaller which then creates other issues from traffic, sewer etc.

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

- Bought property around 2005
- Previous owner had it fenced off 15/20 acers of alfalfa with the rest being grazing for cattle
- When this property was purchased, there were discussions with the county about cattle being there – has been no cattle there since this time
- Some top soil and clay, but not much black dirt
- No interest in crop planting from farmers in area
- Not much farmable land for a farmer to make a living at
- Have allowed trees to grow naturally
- Deep ravine but is dry - some water flow during spring runoff
- Lots were designed in order to keep top of hill sides
- The sizes of the proposed lots gives a family a couple of acers to build a home
- Panhandle lot to the south is all dry
- Some years ago did apply to subdivide out the two 1.21 ha lots. At that time Alberta Transportation wanted 30 m right-of-way, which did not agree with - too much. Alberta Transportation has no interest in 30 m right-of-way on north end of property
- Present approaches are paved and done to county standards
- A ravine was put in between lots 2 and 3 and graveled so no erosion problems arise
- Gas line already in, thus no digging required under Range Road 240
- No evidence of dust on this road
- To add three separate lots won't create much difference in traffic, and would allow three families to enjoy the land and lake
- My son would like to let cattle run on this land; however, as the landowner am not in favor of that. Cattle should be kept away from bodies of water
- Buffer of crown land all around the lake
- Boat launch has stopped bikers and quaders coming up west side of the lake and ripping it up
- Parks asking for addition buffer of crown land to protect the lake

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

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- Will environmental reserve easement be dealt with on this subdivision and conditioned or how will it be handled
- If subdivision were to be approved, would merit more discussions
- Approval for only proposed 4 ha parcel would be consistent with the rest of the development around the lake.
- The two 1.21 ha proposed parcels have no access to the lake. Could not run these parcels to the lake as, would go through the existing yard site
- May need to look at an Area Structure Plan to develop in a good way

10-24 Committee Member Ray Scobie moved that the application to subdivide 3 residential lots of 1.21 ha (2.99 ac), 1.21 ha (2.99 ac) and 4.0 ha (9.88 ac) from a previously subdivided quarter section with a title area of 40.12 ha (99.15 ac) be **deferred** until the environmental reserve and subdivisions can be tied together.

Pro: Committee Member Ray Scobie

Con: Chair Tanni Doblanko and Committee Members Dal Virdi and Rick Smith

LOST

11-24 Committee Member Rick Smith moved to subdivide a 4.0 ha (9.88ac) parcel from a previously subdivided quarter section with a title area of 40.12 ha (99.15 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, 40.12 ha (99.15 ac) x 10% = 4.012 (9.915 ac), be deferred against the remnant parcel;
5. Pursuant to 664(1.1) (b) of the Municipal Government Act, Environmental Reserve shall be dedicated in the form of a strip of land, no less than 6 metres in width, abutting the bed and shore of the lake. The area of the Environmental Reserve shall be determined by an Alberta Land Surveyor in consultation with Leduc County;
6. Pursuant to Section 4.3.1.7 of the Municipal Development Plan, the subdivision be revised to one 4.0 ha (9.88 ac) parcel.
7. The subdivision be registered pursuant to Alberta Land Titles requirements.




Pro: Chair Tanni Doblanko and Committee Members Dal Viridi and Rick Smith
Con: Committee Member Ray Scobie

Carried

Adjournment

Chair Tanni Doblanko declared the Subdivision Authority meeting be adjourned.

The Subdivision Authority meeting was adjourned at 2.43 p.m.


Chairman


Secretary