



Subdivision Authority

Agenda

Council Chamber, Leduc County Centre, Nisku, AB
Tuesday, April 15, 2025

1. Order – 1:30 p.m.

2. Adoption of agenda

3. Adoption of previous minutes

Subdivision Authority Minutes – February 18, 2025 ✓

4. Subdivision applications

- 1. SD24-069 – Dwight Price - SE 8-48-23 W4 – Roll 342000 ✓
- 2. SD24-070 – Dan Price – SW 8-48-23 W4 – Roll 343000 ✓
- 3. SD24-071 – Dan & Susan Senft – NW 7-48-23 W4 – Roll 337000 ✓
- 4. SD24-078 – Brigitte & Glen Bienert – NE 34-50-22 W4 – Roll 324000 ✓
- 5. SD25-001 – Connie & Derek Helfenstein – SE 26-48-01 W5 – Roll 2609000 ✓

5. Adjournment

Delegated Authority Decisions: February - 4
March - 3

✓ Attachment provided



Order and roll call

The meeting was called to order at 1:30 p.m. on Tuesday April 15, 2025, by Chair Tanni Doblanko and committee members Rick Smith, Dal Viridi, Glenn Belozar and Ray Scobie were present.

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.

Agenda Adoption

08-25 Committee Member Belozar that the agenda for the April 15, 2025 Subdivision Authority Committee meeting be accepted as amended.

CARRIED UNANIMOUSLY

Previous Minutes – Tuesday, February 18, 2025

09-25 Committee Member Viridi that the February 18, 2025 Subdivision Authority Committee minutes be accepted as presented.

CARRIED UNANIMOUSLY

Proposed subdivision – Dwight Price - SE 8-48-23 W4 – Roll 342000

SD24-0069

Mr. Sarmad Abbasi, Senior Planner, Development Services, presented an updated staff report with respect to the application by the applicant Dwight Price. Staff recommends **refusal** to subdivide a 1.01 ha± (2.50 ac±) and 1.05 ha± (2.60 ac±) residential parcels from a title area of 64.15 ha± (158.51 ac±).

DISCUSSION

The subject land abuts Range Road 234 to the east, shares a boundary with the County of Wetaskiwin to the south, and is located 0.8 km south of Highway 616. The quarter section has undergone one prior subdivision which occurred in 2000.

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 (a) Physical severance; (b) Farmstead subdivision; (c) Residential subdivision; or (d) Lot line adjustment. The current application is defined as residential subdivisions. Policy 4.3.1.7 states that there shall



be no more than one (1) 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 and 4th titled lot in the quarter section.

Municipal Development Plan policy 4.3.1.4 states that a residential subdivision should minimize the amount of agricultural land taken out of production and should not include high-capability agricultural land. The land under the proposed subdivisions is currently being farmed, and approving the lots will result in removing capable agricultural land from production.

There was one adjacent landowner comment received for the proposed subdivision.

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

Sarmad Abbasi advised:

- No ASP has been conducted for this area and nothing has been planned.
- The land is rated 3 under CLI so it is not the best soil.
- The land is defined under the MDP as AG Area A which is prime land.

- Charlene Haverland advised that the Municipal Development Plan is divided into prime A & B. This land falls into the higher AG land. The LESA tool and ALS ratings are not exact. The land is classed as good AG land for other purposes.

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

- The farmland is useless and is very hilly. It is AG land classifications are not accurate.
- Subdividing off for family members. Their grandfather owned the property.
- Did not respond to other subdivisions in the area.
- The 1st subdivision has not been farmed for 20 years. Ground was just broken last year on the hilly portion and use for pasture. Crops are hopeless and a lot of work went in to make lot useable. Two of the lots are not farmable.
- 2 sons will own the parcels. Dan's brother lived on the subdivided parcel for 5 years then moved back to BC.

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

- There were none.

10-25 Committee Chair Tanni Doblanko moved that the subdivision application to subdivide a 1.01 ha± (2.50 ac±) and 1.05 ha± (2.60 ac±) residential parcels from a title area of 64.15 ha± (158.51 ac±) be refused 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 policy of the Municipal Development Plan 03-24:
 - a. Policy 4.3.1.9 which states there shall be no more than two subdivisions (three titled lots) per unsubdivided quarter section in Agricultural Area B.

Pro: Committee Chair Tanni Doblanko and Committee Member Rick Smith

Con: Committee Members Dal Verdi, Ray Scobie and Glenn Belozar

LOST



11-25 Committee Member Dal Viridi moved that the application to subdivide a 1.01 ha± (2.50 ac±) and 1.05 ha± (2.60 ac±) residential parcels from a title area of 64.15 ha± (158.51 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 two newly created lots 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 669(1) of the Municipal Government Act, Municipal Reserves in the amount of 6.414 ha (15.851 ac) be deferred against the remnant lot; and
4. The subdivision be registered pursuant to Alberta Land Titles requirements.

Pro: Committee Members Dal Viridi, Ray Scobie and Glenn Belozer

Con: Committee Chair Tanni Doblanko and Committee Member Rick Smith

CARRIED

The Subdivision Authority Committee felt that the topography is not conducive to agricultural production and it would bring families to the area.

Proposed subdivision – Dan Price – SW 8-48-23 W4 – Roll 343000

SD24-0070

Mr. Sarmad Abbasi, Senior Planner, Development Services, presented an updated staff report with respect to the application by the applicant Dan Price. Staff recommends **refusal** to subdivide a 2.83 ha± (7 ac±) farmstead parcel and a 1.01 ha± (2.5 ac±) residential parcel from a previously subdivided quarter section of 63.86 ha± (157.79 ac±).

DISCUSSION

The subject lands abut Range Road 235 to the west, the County of Wetaskiwin to the south, and is 0.8 km south of Highway 616. The quarter section has experienced one prior subdivision which occurred in 1992.

In accordance with policy 4.3.1.9 of the Municipal Development Plan (MDP), there shall be no more than two subdivisions (three titled lots) per quarter section in Agricultural Area B. The proposed subdivision would result in the creation of the 3rd and 4th lot in this quarter section. The creation of a 4th lot would not meet MDP policy.

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. In conjunction with this policy, MDP policy 4.3.1.4 states that a residential subdivision should minimize the amount of agricultural land taken out of production and should not include high-capability agricultural land. The land under the proposed residential subdivision on the southwest corner of the quarter is currently being farmed. The proposed lot would remove capable agricultural land from production.

20

There was one adjacent landowner comment received for the proposed subdivision.

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

- Sarmad Abbasi advised that an ASP would be ideal but ASP's cover a larger area, not just a quarter section.

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

- South corner would be for a new house. Younger brother is taking farmyard and Dwight's son wants the middle lot. Both brothers own the parcel. Dwight needs a smaller parcel in order to get a mortgage.

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

- There were none

12-25 Committee Member Glenn Belozer to approve the application to subdivide a 2.83 ha± (7 ac±) farmstead parcel from a previously subdivided quarter section of 63.86 ha± (157.79 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 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 6.39 ha± (15.78 ac±) be deferred against the larger remnant lot;
5. Pursuant to Section 4.3.1.9 of the Municipal Development Plan, the applicant shall remove the 1.01 ha parcel; and
6. The subdivision be registered pursuant to Alberta Land Titles requirements.

Pro: Committee Members Ray Scobie, Dal Viridi and Glenn Belozer

Con: Committee Chair Tanni Doblanko and Committee Member Rick Smith

CARRIED

The Subdivision Committee felt that the subdivision would not be taking farmland out of production.

Proposed Subdivision - Dan & Susan Senft – NW 7-48-23 W4 – Roll 337000

SD24-0071

Mr. Sarmad Abbasi, Senior Planner, Development Services, presented a staff report with respect to the application by the applicants Dan & Susan Senft. Staff recommends **refusal** to subdivide two 3 ha (7.41 ac) and two 4 ha (9.88 ac) farmstead parcels from a previously subdivided quarter section of 40.12 ha± (99.15 ac±).

DISCUSSION

The subject lands abut Range Road 240 to the west and Highway 616 to the north. 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 landowner applied in 2023 to create three residential parcels. The decision of the Subdivision Authority Committee on February 20, 2024 was to approve one of the three proposed lots. The applicant filed for an appeal with Land and Property Rights Tribunal, which upheld the Committee's decision to approve only one parcel. The approved subdivision has not yet been registered with Alberta Land Titles Registry.

According to the Municipal Development Plan the subject lands are located within the Agricultural Area B, where policies are intended for a broad range of agriculture on large tracts of land. This area considers non-agricultural uses, but aims to minimize and maintain agriculture as the priority land use.

The proposed parcels do not meet any of the categories of subdivision defined under Policy 4.3.1.8 of the Municipal Development Plan (MDP). In accordance with policy 4.3.1.9 of the MDP, there shall be no more than two subdivisions (three titled lots) per quarter section in Agricultural Area B. The proposed subdivisions would result in the creation of the 4th, 5th, 6th, and 7th lots in this quarter section. An Area Structure Plan should be developed to guide development for the proposed subdivision. In accordance with the Municipal Policy MS-14 Country Residential Subdivision Access Road Surfacing Policy, the developer shall pave County road way subdivision entrance to the nearest paved roadway. An internal road network shall be developed for 4 or more contiguous lots.

Alberta Transportation responded that a Traffic Impact Assessment be submitted and all improvements and recommendations be implemented by Leduc County, which will be at the costs of the Developer.

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 was one adjacent landowner comment received for the proposed subdivision.

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

- Charlene Haverland advised that the environmental significant sensitive study was done by Leduc County. To determine the exact area of an ERE, more studies would be required.

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

- Neighbor to south doesn't support 4 lots. Last year he objected to previous subdivision but now supports the subdivision to the north. He has cut down most trees to obtain view of the lake.
- No slumps on hillside that indicate if ground is unstable. No other homes have slumped.
- The additional approach shows a culvert. Other approaches put in back in 2020, are paved approaches. Dan was not aware that they were going to be put in so this has nothing to do with him.



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- In 2020 when the County decided to pave 240, some study should have been done at that time. 240 is just as wide as 616. Adding 4 lots is not going to add that much traffic. A lot of traffic comes from Wetaskiwin/Hay Lakes. Impact would not be big. Size of intersection would take growth into consideration. Reduce speed limit signs could be installed.
 - Land is defined as Agricultural Area B. Size of area is too small to farm. Some land was used for hay, and the rest is for cattle.
 - County adopted splitting property 4 times.
 - Large subdivisions have all had one access to the area.
 - Can't make a living off land, only bring in cattle. Beavers very destructive.
 - Don't like to run cattle as water runs down to the lake.
 - Highly sensitive area? Farther down the lake and east side, multiple lots have been subdivided off, no trails on west side of lake as provincial boat launch kept people off.
 - No preservation of shore line on east side.
 - Could sell farm land at some point and cattle could be brought in.

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

- There were none.

13-25 Committee Member Rick Smith to defer the application to a future Subdivision Approval Committee meeting to redraw the tentative plan to one 35 ac parcel and recirculate.

CARRIED UNANIMOUSLY

Proposed Subdivision - Brigitte & Glen Bienert – NE 34-50-22 W4 – Roll 324000

SD24-0078

Mr. Sarmad Abbasi, Senior Planner, Development Services, presented an updated staff report with respect to the application by the applicants Brigitte & Glen Bienert. Staff recommends **refusal** of the revised application to subdivide a 7.46 ha± (18.43 ac±) parcel and a 8.10 ha± (20.02 ac±) parcel from a previously subdivided quarter section of 31.77 ha± (78.50 ac±).

DISCUSSION

The subject lands abut Range Road 222 to the east and Township Road 510 to the north. The quarter section was subdivided in 1973.

According to the Municipal Development Plan, the subject lands are located within the Agricultural Smallholding Overlay Area, where policies are intended for diversification of agricultural operations on smaller tracts of land and to minimize potential impacts on the Beaver Hills UNESCO Biosphere.

In accordance with policy 4.3.1.9 of the Municipal Development Plan, there shall be no more than three subdivisions (four titled lots) per quarter section in Agricultural Smallholding Overlay Area. The proposed lots would result in the creation of the 3rd, 4th and 5th lot in this quarter section.

Municipal Development Plan policy 4.3.1.11 defines subdivisions into the following categories; physical severance, farmstead subdivision, residential subdivision, agricultural subdivision, agricultural smallholding subdivision, and a lot line adjustment.

1. The proposed 2.03 ha parcel is defined as a residential subdivision
2. The proposed 6.07 ha parcel is defined as a farmstead subdivision. The aerial image demonstrates that the farmstead is approximately 5 acres in size.



3. The proposed 7.46 ha is not defined under any of the categories in the MDP.

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

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

- There were none.

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

- The plan was changed in order to comply. Other than size, attempt to keep land in the family and still use as farmland.
- Land is clay, gravel and only good for pasture. Attempted to grain farm for 2 years but was not successful. The steep hills make driving a tractor very difficult.

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

- There were none.

14-25 Committee Chair Tanni Doblanko moved that the application to subdivide an 8.10 ha± (20.02 ac±) parcel and a 7.46 ha± (18.43 ac±) parcel from a previously subdivided quarter section of 31.77 ha± (78.50 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 lots 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 and Strathcona County's 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 Part 3, Section 11 (b) of the Matters Related to Subdivision and Development Regulation, the applicant/owner shall provide a 10 meter right away along the entire east boundary of NE 34-50-22-W4, to the satisfaction of Leduc County;
5. Pursuant to Part 3, Section 11 (b) of the Matters Related to Subdivision and Development Regulation, the applicant/owner shall provide a 10 meter right of way along the entire north boundary of the east half of NE 34-50-22-W4, as well as a 10m x 10m corner cut at the intersection of Range Road 222 (south) and Township Road 510, to the satisfaction of Strathcona County;
6. The subdivision plan shall be revised as per Exhibit 2;
7. Pursuant to Section 669(1) of the Municipal Government Act, Municipal Reserves in the amount of 3.18 ha± (7.85 ac±) be deferred against the larger remnant lot; and
8. The subdivision be registered pursuant to Alberta Land Titles requirements.

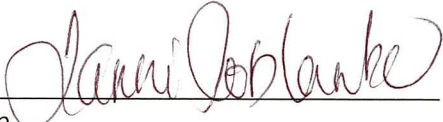


CARRIED UNANIMOUSLY

Adjournment

Chair Tanni Doblanko declared the Subdivision Authority meeting be adjourned.

The Subdivision Authority meeting was adjourned at 2:50 p.m.


Chairman


Secretary