



Subdivision Authority

Agenda

Council Chamber, Leduc County Centre, Nisku, AB

Tuesday, June 17, 2025

1. Order – 1:30 p.m.

2. Adoption of agenda

3. Adoption of previous minutes

Subdivision Authority Minutes – May 20, 2025

✓

4. Subdivision applications

1. SD25-0011 – Scott & Pamela Herron – NW 08-49-24-W4 – Roll 892000

✓

2. SD25-0012 – Darcy Powlik on behalf of Brian & Kara Kushinski –
NE 7-50-27-W4 – Roll 2231010

✓

3. SD25-0013 – Kenneth Poffenroth on behalf of Creek Side Potatoes Ltd. –
(SH) SE 27-50-27-W4 – Roll 2313010

✓

4. SD25-0014 – Clayton & Kealey Rumohr – NW 19-50-27-W4 – Roll 343000

✓

5. Adjournment

Delegated Authority Decisions: May - 4

20 on table

✓ Attachment provided

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Order and roll call

The meeting was called to order at 1:28 p.m. on Tuesday June 17, 2025, by Chair Tanni Doblanko and committee members Rick Smith, Dal Virdi, 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. Adele Pysar- Recording Secretary

14 other individuals attended the meeting.

Agenda Adoption

15-25 Committee Member **Glenn Belozar** that the agenda for the June 17, 2025 Subdivision Authority Committee meeting be accepted as presented.

CARRIED UNANIMOUSLY

Previous Minutes – Tuesday, April 15, 2025

16-25 Committee Member **Dal Virdi** that the April 15, 2025 Subdivision Authority Committee minutes be accepted as presented.

CARRIED UNANIMOUSLY

Proposed subdivision – Scott & Pamela Herron – NW 08-49-24-W4; Roll 892000

SD25-0011

Mr. Sarmad Abbasi, Senior Planner, Development Services, presented a staff report with respect to the application by the applicants Scott & Pamela Herron. Staff recommends **refusal** to subdivide a 1.82 ha± (4.50 ac±) farmstead parcel from a title area of 32.265 ha± (80.68 ac±).

DISCUSSION

The subject land abuts Range Road 245 to the west, Township Road 492 to the north, and is located 1.8 km south of the city of Leduc. The quarter section has undergone one prior subdivision to create two 80 acre parcels.

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.

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 a second subdivision in the quarter section. The land proposed to be subdivided does not appear to remove any agricultural land from productivity.

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



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

- There was none.

Chair Tanni Doblanko called upon the applicant to speak to the subdivision. The applicants Scott & Pamela Herron were not in attendance.

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

- There was none.

17-25 Chair Tanni Doblanko moved that the application to subdivide a 1.82 ha± (4.50 ac±) farmstead parcel from a title area of 32.65 ha± (80.68 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 3.265 ha (8.068 ac) be deferred against the remnant lot; and
5. The subdivision be registered pursuant to Alberta Land Titles requirements.

CARRIED UNANIMOUSLY

The Subdivision Authority felt this subdivision does not propose to take farmland out of agricultural production.

**Proposed subdivision – Darcy Powlik on behalf of Brian & Kara Kushinski – NE -07-50-27-W4 –
Roll 2231010**

SD25-0012

Mr. Sarmad Abbasi, Senior Planner, Development Services, presented a staff report with respect to the application by the applicant Darcy Powlik. Staff recommends **approval** for a line adjustment to decrease the title area from 31.37 ha± (77.51 ac±) to 6.26 ha± (15.47 ac±), and to transfer the remaining balance to the north half of the quarter section.

DISCUSSION



The subject land abuts Range Road 275 to the east, Township Road 501A to the south, and is located approximately 7.6 km northwest of the town of Calmar. The quarter section has undergone one prior subdivision to create two 80 acre parcels. According to the Municipal Development Plan, the subject lands are located within the Agricultural Area A, which designates the area as prime agricultural land.

The proposed subdivision would be removing approximately 3.7 acres from agricultural use if approved. However, as the applicant stated in their letter, this parcel is separated from the main cropland and is difficult to farm with today's agricultural equipment. With the proposed lot line adjustment converting the remnant parcel back to the north subdivision, this is in keeping with MDP policy that large parcels of agricultural land are maintained to permit large-scale agriculture while minimizing fragmentation. The proposed application meets MDP policy.

An environmental reserve easement will need to be registered on the proposed lot to protect the creek running through the property.

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

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

Charlene Haverland provided the following information:

- There was an alternate application by the County for a smaller parcel of 1.81 ha± (4.47 ac±) with boundary to east side of creek.
- The main reason in keeping with the larger parcel was less impact to the creek. Would ask for Environmental Reserve Easement if smaller parcel were approved.
- Some discussion around why an easement would not be applied either way, but typically with a larger piece of land, an encumbrance would not be placed on title.
- Surveyor would determine where top of bank for creek is and where easement goes.

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

- The Kushinski's are my clients, who purchased land from me.
- Benefit to them of my applying on their behalf is that I know the rules and process of subdividing.
- Came up with parcel size of following the bush line through discussions with surveyor.
- Rather than doing another subdivision on 80 ac, would be best to combine 2 80's with a boundary adjustment and leaving a small parcel remaining.
- Treed area assures a building pocket.
- Does take out 15.47 acres, but this does not hurt the landowners.
- If possible would like to stay with proposed lot size of 15.47 ac which is what we had discussed with planning originally.
- No comments from Mr. Kushinski

Chair Tanni Doblanko asked if any more questions for administration:

- Need to preserve as much farm land as possible
- Amount of farmland taken out of production is going to be the same whether larger or smaller parcel is approved.
- Larger parcel good for resale purposes with a better building pocket to be able to build on.
- Preserve the bush and ravine area. If go with smaller parcel no reserve in the planning.
- Environmental Reserve Easement will go on the larger parcel if approved.
- Setback from creek will not change regardless of parcel size.



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- Cannot remove trees in an environmental reserve.
 - Reason application not approved as physical severance is because there was an adjacent landowner letter of concern.

Charlene Haverland advised several adjacent landowners are here and were informed they could speak. Adjacent Landowners – Stephen Sendziak, Donald Sendziak and Abbot Farms approached and provided the following comments:

- Real estate agent is taking control; however, respect comments he is making.
- Principle of prime agricultural land is being passed over.
- 15 acres does not meet bylaw of 5 ac minimum.
- Darcy Powlik has no vested interest in subdividing – he is primarily interested in buying and selling land.
- The policy needs to change – subdivision applications should be made by landowner only.
- Do not agree with this subdivision – truly feel that the preservation of farming prime agricultural land is being challenged.
- Opening up floodgates to acreages in the surrounding area.
- Look at the threat of Edmonton annexation.
- Do not believe all adjacent landowners got this subdivision referral.
- Traffic is getting worse in this area.
- What direction is County going in?

18-25 Committee Member Rick Smith to approve the application for a line adjustment to decrease the title area from 31.37 ha± (77.51 ac±) to 6.26 ha± (15.47 ac±), and to transfer the remaining balance to the north half of the quarter section subdivide:

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 standards;
3. Pursuant to Section 661 (a.1) of the Municipal Government Act, an environmental reserve easement shall be dedicated along the creek within the proposed parcel, to the satisfaction of Leduc County;
4. The subdivision be registered pursuant to Alberta Land Titles requirements.

CARRIED UNANIMOUSLY

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

Proposed Subdivision – Kenneth Poffenroth on behalf of Creek Site Potatoes Ltd. – (SH) SE 27-50-27-W4 – Roll 2313010 SD25-0013

Mr. Sarmad Abbasi, Senior Planner, Development Services, presented a staff report with respect to the application by the applicant Kenneth Poffenroth. Staff recommends **refusal** to subdivide a 2.45 ha± (6.05 ac±) residential parcel from a title area of 30.40 ha± (75.13 ac±).



DISCUSSION

The subject land abuts Range Road 272 to the east, Township Road 504 to the south, and is located approximately 6.4 km west of the town of Devon. The quarter section has undergone one prior subdivision to create two 80 acre parcels.

According to the Municipal Development Plan, the subject lands are located within the Agricultural Area A, which designates the area as prime agricultural land.

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 a second subdivision in the quarter section. The proposed lot to be subdivided would remove highly capable agricultural land from productivity, and is larger than what is needed to accommodate a residence and building accessory for residential use.

No adjacent landowner concerns.

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

- There was a parcel directly adjacent to this parcel that was separated into three parcels – is there a precedence?
- Judge each application on its own merit. Do not look at precedence only what administration is looking at currently.

Chair Tanni Doblanko called upon the applicant to speak to the subdivision. Kenneth Poffenroth, acting on behalf of Creekside Potatoes Ltd. approached and provided the following information:

- Hanging onto it for a family member to build, but that option is no longer available.
- There is a well on the property.
- There used to be an old yard site, but demolished buildings to keep vandalism down.
- There is a blue address sign, which means there must have been a house there at one time.
- No development permit – but if old residence could be before development permits were required.
- Reason for subdividing is to sell as an individual lot.
- Six acres makes for a nice square parcel – room enough to have a garden if desirable.

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

- Approximate size of old farmstead was about 2.5 acres.
- No existing septic system. Would have to meet today's code.

13-25 Chair Tanni Doblanko moved that the application to subdivide a 2.45 ha± (6.05 ac±) residential parcel from a title area of 30.40 ha± (75.13 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 4.3.1.4 which states that where a Residential subdivision is proposed, the subdivision should:
 - II. be limited to the size needed to accommodate a residence and building accessory for residential use;
 - III. minimize the amount of agricultural land taken out of production;
 - IV. be directed to low-capability agricultural land



b.Policy 4.3.1.7 which states there shall be no more than one (1) subdivision (two titled lots) per unsubdivided quarter section in Agricultural Area A.

CARRIED UNANIMOUSLY

Proposed Subdivision – Clayton & Kealey Rumohr – NW 19-50-27-W4 – Roll 343000

SD25-0014

Mr. Sarmad Abbasi, Senior Planner, Development Services, presented a staff report with respect to the application by the applicants Clayton & Kealey Rumohr. Staff recommends **refusal** to subdivide a 13.43 ha± (33.19 ac±) residential parcel from a previously subdivided quarter section with a title area of 57.15 ha± (141.22 ac±).

DISCUSSION

The subject lands abut Range Road 280 to the west, and the North Saskatchewan River Valley to the north. The quarter section contains one prior subdivision of a 24 acre parcel.

The proposed subdivision does not meet MDP policy 4.3.1.4 which states that a residential subdivision should be limited to the size needed to accommodate a residence and building accessory for residential use. The applicant is applying for a parcel size significantly greater than what is needed to accommodate the natural features. The large size of the proposed residential subdivision increases the amount of agricultural land that will be taken away from production.

One adjacent landowner comment received.

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. Clayton Rumohr approached and provided the following information:

- Keeps all agricultural land intact.
- Easily accessible from Range Road 280.
- Not taking away from prime agricultural land.
- Access is shared.
- This land has not been farmed in decades.
- Sell remnant land to a local farmer.

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

- Parcel size is an irregular shape. Typically see more square shapes but nothing wrong with this particular shape.
- Put a home on the area that is not farmed – clearly delineates between farm and non farm land
- Poor land; therefore good for another family to live.
- Topography shows drop off – so not easy to farm.
- Municipal Reserves are subject to every subdivision – 10% of value of land given for a park or community purposes – until any future subdivision happens.

19-25 Committee Member Dal Virdi moved that the application to subdivide a 13.43 ha± (33.19 ac±) parcel from a previously subdivided quarter section with a title area of 57.15 ha± (141.22 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;

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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 669(1) of the Municipal Government Act, Municipal Reserves in the amount of 5.715 ha (14.122 ac) be deferred against the remnant lot;
4. Pursuant to Section 9(i) of the Matters Related to Subdivision and Development Regulation, the current access easement be registered on the newly created lot;
5. The subdivision be registered pursuant to Alberta Land Titles requirements.

PRO: Tanni Doblanko, Dal Viridi, Glenn Belozar, Ray Scobie
CON: Rick Smith

CARRIED

Adjournment

Chair Tanni Doblanko declared the Subdivision Authority meeting be adjourned.

The Subdivision Authority meeting was adjourned at 2:31 p.m.


Chairman


Secretary