



SUBDIVISION AUTHORITY  
MEETING AGENDA  
Thursday, March 15, 2018

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- 14 -

1. ORDER – 2:30 p.m.

2. ADOPTION OF AGENDA

3. ADOPTION OF PREVIOUS MINUTES

Subdivision Authority Minutes – February 20, 2018

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4. SUBDIVISION APPLICATIONS

1. SD17-071 – Manpreet Baraich, Raupreet Sandhu, Gurpreet Sandhu, -  
Pt. NW 28-50-23-W4

√ Dave Desimone

2. SD17-075 – Aime Stewart – Scheffer Andrew Ltd. – NW 32-50-24 W4

√ Charlene Haverland

3. SD18-006 – Philip LeGrandeur – SW 17-49-25 W4

√ Dave Desimone

5. ADJOURNMENT

√ Attachment Provided

Delegated Authority Decisions – (February - 1 )

SD

**MINUTES OF THE REGULAR SUBDIVISION AUTHORITY MEETING OF LEDUC COUNTY  
HELD ON THURSDAY, MARCH 15, 2018 IN THE COUNCIL CHAMBER OF THE COUNTY  
CENTRE BUILDING, NISKU, ALBERTA.**

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**Order and Roll Call**

The meeting was called to order at 2:30 p.m., Thursday, March 15, 2018 by Chair Tanni Doblanko with Committee Members Kelly-Lynn Lewis, Kelly Vandenberghe, Glenn Belozar and Ray Scobie present.

Also present were:

- Mrs. Charlene Haverland, Manager, Development Services
- Mr. Dave Desimone, Senior Planner
- Mr. Kyle Payne, Planner
- Mr. Rick Thomas, Secretary of the Subdivision Authority
- Mrs. Rae-Lynne Spila, Municipal Engineer
- Mrs. Laurie Stoetzel, Recording Secretary

5 other individuals were present.

**Agenda Adoption**

**11-18** Committee Member Belozar that the Agenda for the March 15, 2018 Subdivision Authority meeting be adopted as circulated.

Carried Unanimously

**Previous Minutes – February 20, 2018**

**12-18** Committee Member Lewis that the February 20, 2018 Subdivision Authority minutes be confirmed as circulated.

Carried Unanimously

**Proposed Subdivision Pt. NW 28-50-23-W4**

**SD17-071**

Mr. Dave Desimone, Senior Planner, Development Services presented an updated staff report with respect to the application by applicants/landowners Manpreet Baraich, Raupreet Sandhu and Gurpreet Sandhu. This application proposes to subdivide a developed 5.50 ha± (13.50 ac±) parcel for country residential use from a title area of 32.37 ha± (80.00 ac±).

**Update:**

This application was presented to the Subdivision Authority on December 19, 2017 at which time the decision was deferred in order for the applicant to reduce the size of the proposed parcel. In that time, it was discovered the subdivision application had not been referred to Alberta Transportation as per the requirements of the newly updated Municipal Government Act. Upon referral of the application, Alberta Transportation responded that in order to vary the requirements of Section 14 of the Subdivision and Development Regulation for the proposed subdivision, the intersection at Range Road 234 and Highway 625 would require improvements.

On January 16, 2018, the Subdivision Authority deferred the application to allow administration and the applicant time to meet with Alberta Transportation and discuss the requirements of the intersection improvements. Alberta Transportation met with Leduc County and advised Alberta Transportation had scheduled improvements for the intersection of Highway 625 and Range Road 234 which have now being cancelled. A subdivision variance by Alberta Transportation had been given to a recent subdivision within the area one month prior. Alberta Transportation confirmed the intersection improvements were scheduled at that time therefore the variance was granted to that subdivision.

Alberta Transportation advised they would provide further comments to the County. At the time of the writing of this report, no further response from Alberta Transportation has been received.

Administration continues to recommend that the Subdivision Authority refuse this application for subdivision as it does not meet the policies of the Municipal Development Plan, Land Use Bylaw 7-08 and Edmonton Metropolitan Region Growth Plan.

### **History:**

The subject lands were first subdivided in 1978 into two equal parcels of 32.4 ha (80.0 ac). The north 80 acres of the quarter section was further subdivided into two 40 acre parcel in 1994. The proposed subdivision is located on Range Road 234 and half mile north of Highway 625.

### **Discussion:**

The Farmland Assessment Rating established by the County Assessment Department indicates the subject land consists of entirely low capability agricultural lands (19.0% - 40.0%). The applicant noted that the purpose of this subdivision is for estate planning. The proposal would represent the 3<sup>rd</sup> parcel out of this quarter section. Policy 3.3.14 of the Municipal Development Plan stipulates that country residential subdivision shall be small in scale and well defined and would not set a precedent or encourage further subdivision of the surrounding lands.

The Land Use Bylaw and Municipal Development Plan stipulate that the minimum size for agricultural lots shall be 32.4 ha (80 ac). Section 3.1.7 of the Municipal Development stipulates that country residential development occur in an orderly manner that is compatible with neighboring land uses and the environment. This proposal to subdivide the quarter represents further fragmentation and incremental, unplanned development.

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. The proposed subdivision application does not comply with the EMRGP.



Chair Tanni Doblanko asked if Committee Members had any further questions for the technical staff. There were none.

Chair Tanni Doblanko called upon the applicant/landowner to speak to the subdivision. Mr. Manpreet Baraich advised that:

- Alberta Transportation would be releasing the budget which may include plans for the intersection/highway upgrading at which time they may reconsider his application.
- Mr. Manpreet requested that his application be deferred until the mentioned budget has been released.

Chair Tanni Doblanko asked if Committee Members had any further questions of the applicant/landowner.

- Mr. Thomas advised that the budget would be finalized sometime in April.

There was no debate on the deferral request.

**13-18** Chair Tanni Doblanko - that the application by Manpreet Baraich, Raupreet Sandhu and Gurpreet Sandhu to subdivide a developed 5.50 ha± (13.50 ac±) parcel for country residential use from a titled area of 32.37 ha± (80.00 ac±) be deferred to the May 15, 2018 Subdivision Authority meeting.

Carried Unanimously

Mr. Manpreet left the meeting at 2:33 p.m.

#### **Proposed Subdivision NW 32-50-24 W4**

**SD17-075**

Mrs. Charlene Haverland, Manager, Development Services presented a staff report with respect to the application by applicants Aime Stewart - Scheffer Andrew Ltd., landowner The Goldman Group (Alberta) Ltd. Staff recommends approval of the application for Stages 4 & 5 of the Churchill Meadow subdivision consisting of 100 country residential lots ranging in size from 461m<sup>2</sup>, 3 Municipal Reserve lots and 5 Public Utility lots from a titled area of 10.5 ha± (25.95 ac±).

#### **History**

The land subject of this application is located immediately south of Diamond Estates, approximately 1.5 km west of the Town of Beaumont and south of Township Road 510. It is situated within the north portion of the East Vistas Local Area Structure Plan and the south portion of the North Major Area Structure Plan. The proposed subdivision is Stage 4 and 5 of the Churchill Meadow Outline Plan which was adopted by Leduc County Council in 2015.

Stages 1, 2 & 3 of the Churchill Meadow Outline Plan, comprising of 113 residential lots, was subdivided in 2014. This approved subdivision has not yet been registered and a Development Agreement has not commenced. At the time of the subdivision municipal reserves have been deferred on to the title lands of the current subdivision application.

#### **Discussion:**

The subdivision application is in compliance with the Churchill Meadow Outline Plan and East Vistas Local Area Structure Plan.



The Urban Residential 2 (RU2) District is consistent with both the East Vistas Local Area Structure Plan and Churchill Meadow Outline Plan. Land Use Bylaw 7-08 stipulates that new residential lots within the Urban Residential 2 (RU2) District shall be between 360.0 m<sup>2</sup> (3,875 sq. ft.) and 1500 m<sup>2</sup> (16,146 sq. ft.), except on corner lots, where new residential lots shall be between 450.0 m<sup>2</sup> (4,844 sq. ft.) and 1500.0 m<sup>2</sup> (16,146 sq. ft.). The applicant is proposing to subdivide 100 residential lots ranging in size from 461 m<sup>2</sup> to 855 m<sup>2</sup>.

The subdivision is consistent with the density of the Urban Residential 2 District. The Urban Residential 2 District (medium density residential area) requires 12.0 dwelling units per ha (4.8 units per acre). As development occurs within the East Vistas Local Area Structure Plan area densities will fluctuate, some falling below the target density while others exceed the target density. This subdivision is in keeping with the Churchill Meadow Outline Plan. It is necessary to continuously monitor the residential densities during each phase of development to ensure the overall density target for the East Vistas Local Area Structure Plan are met. The Land Use Bylaw requires that lots shall be designed and constructed to meet the Leduc County's engineering standards for municipal water, municipal sanitary sewer, storm water management, paved road, noise attenuation, grading and utilities. This subdivision is to be developed to an urban standard with paved roads, curbs, gutters, underground utilities, and sidewalks. The design and construction of the roads shall be in accordance with the road cross sections identified in the Churchill Meadows Outline Plan.

The subdivision is proposing access from the internal collector road within Churchill Meadows. The north south road from Twp Road 510 was built at the time Diamond Estates was developed and therefore the applicant will be required to contribute to the cost of constructing that road. As such, the only access available is coming from within Diamond Estates to the north and therefore the applicant will be required to build a temporary construction haul road off RR 245 to divert subdivision construction traffic away from Diamond Estates.

The proposed storm water management facility located within the previous subdivision approval known as Stage 1 and Stage 2 to the north will provide the necessary water quantity and flood control measures for the proposed subdivision and future development. The storm water management facility to the north will need to be constructed prior to any development within the proposed subdivision. The applicant will be required to provide a plan to illustrate the use and connection to the storm water facility. The main water supply to the subdivision will be from the existing 300 mm municipal water main located at the south boundary of Diamond Estates and sewer connection will be from the existing 525 mm sanitary trunk line. Development can be serviced by extending the existing 300 mm, without offsite upgrades as noted in the Water Network Analysis in 2013. Underground natural gas, telephone and power will also be provided to the site by the extension of the existing services from Diamond Estates.

Staff recommends that municipal reserve in the amount of ten percent of the title area (less the Municipal Reserve dedicated within the subdivision plan) be paid out as cash-in-lieu and not deferred against the title of the remnant parcel. Parks and Rec does not support municipal reserve credit being given for the trail along the regional trunk sewer system right of way. While the trail itself is supported as being a benefit to this subdivision for east-west connectivity, there is also a substantial monetary risk with the development of this trail in terms of future trail replacement following sewer ROW repairs.

Contribution to off-site levies and sharing of servicing costs shall be in accordance with the County's Off-site Levy Policies and Procedures.

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There were no adjacent landowner comments submitted regarding the proposed application with revisions.

Chair Tanni Doblanko asked if Committee Members had any further questions for administration. there were no further questions for administration and no new information from the applicant was submitted.

**14-18** Chair Tanni Doblanko - that the application for Stages 4 & 5 of the Churchill Meadow subdivision consisting of 100 country residential lots ranging in size from 461m<sup>2</sup>, 3 Municipal Reserve lots and 5 Public Utility lots from a titled area of 10.5 ha± (25.95 ac±) be **approved** as per staff recommendation 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 shall not be limited to:
  - a) the design, construction, and engineered drawings for urban development including paved roads, curbs, gutters, underground utilities, sidewalks, trails, and storm water management system in accordance with the Churchill Meadow Outline Plan and East Vistas Local Area Structure Plan and to Leduc County standards and satisfaction;
  - b) the design, construction, and engineered drawings for lot grading and site drainage in accordance with the East Vistas Local Area Structure Plan and to Leduc County standards and satisfaction;
  - c) the design, construction and engineered drawings for sanitary sewer and water. The plans shall be to Leduc County Standards and, if required, approved by Alberta Environment and/or the Alberta Capital Region Wastewater Commission (ACRWC);
  - d) the plans for installation of other utilities (gas, electricity, telecommunication) to Leduc County's satisfaction;
  - e) the plans for the location of community mailboxes to the satisfaction of Leduc County and Canada Post Corporation;
  - f) the plans for streetscapes, landscaping, lighting, and parks to be to Leduc County standards and satisfaction;
  - g) the park amenities to include the regular amenities in a local park;
  - h) contributions to be determined for Township Road 505 Storm Outfall design and construction, if required;
  - i) contributions to the off-site levies, oversizing, and sharing of servicing costs in accordance with the Greater Nisku Off-Site Levy Policies and Procedures;
  - j) endeavor to assist;
  - k) requirements for registering this subdivision (ie. temporary turnaround may be required at the end of the internal subdivision road) and future phases of the Churchill Meadow Outline Plan;
  - l) requirement for a temporary construction haul road off RR 245 be built to divert subdivision construction traffic away from Diamond Estates;
  - m) fencing shall be in accordance the Land Use Bylaw and to the satisfaction of Leduc County; and
  - n) disposal of the topsoil within 5 years.
2. Pursuant to Section 654(1)(d) of the Municipal Government Act, the developer/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 (less the Municipal Reserve dedicated within the subdivision plan) be paid out as cash in lieu in the amount of \$85,000/ac. A deferred reserve caveat be registered proportionately against the remnant lands NW ¼ 32-50-24-W4;
4. Pursuant to Section 654 of the Municipal Government Act, that easement and utility rights of way documents required to service this parcel be submitted for concurrent registration with the Plan of Subdivision at the Land Titles Office.
5. The subdivision SD14-028 be registered prior or concurrent to this registration;
6. The subdivision be registered pursuant Alberta Land Titles requirements.

Carried Unanimously

**Proposed Subdivision – SW 17-49-25 W4**

**SD18-006**

David Desimone, Planner, Development Services presented a staff report with respect to the application by applicant/landowner Philip LaGrandeur. Staff recommends refusal of the application to subdivide a developed 1.0 ha± (2.47 ac±) parcel, for country residential use, from a previously subdivided quarter section with a title area of 26.90 ha± (66.47 ac±).

The Farmland Assessment Rating established by the County Assessment Department indicates the subject land consists of a mix of lower and higher capability soil (9.0% - 76%). The policies of the Municipal Development Plan indicate that on high capability agricultural land subdivision shall be limited to one lot out of the quarter section. The proposed lot would be considered as 3<sup>rd</sup> parcel out of the quarter section. The applicant has indicated they are subdividing to sell the land due to health reasons.

The Municipal Development Plan indicates that it shall minimize the amount of high capability agricultural land removed from farming because of non-agricultural development and the fragmentation of land. Leduc County policies do not support incremental unplanned development. Section 3.3.14 of the Municipal Development Plan requires that new country residential parcels be located on low capability land, well defined and compatible with adjacent land uses without setting precedent for further subdivision of the surrounding lands. While the FAR of the proposed parcel is low capability land (9.0%), the proposed subdivision would allow for further development, such as a dwelling, of the remaining lands which consist of high capability farmland (76.0%). It is the opinion of staff that the proposed subdivision is precedent setting and removes high agricultural land from farming.

The proposed subdivision falls within the Rural Area identified in the Edmonton Metropolitan Region Growth Plan. 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 submitted regarding the proposed subdivision.

Chair Tanni Doblanko asked if Committee Members had any further questions for administration and there were none.



Chair Tanni Doblanko called upon the applicant/landowner to speak to the subdivision. Philip LaGrandeur introduced himself and provided a written proposal and power point presentation illustrating his proposal.

Chair Tanni Doblanko asked if Committee Members had any questions for the applicant.

- Mr. LaGrandeur provided clarification on the development on the property and his intention to sell the yard site.

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

- David Desimone clarified the number of titles that have currently been subdivided from the quarter section.
- Mr. Thomas inquired about the opportunity for consolidation of the two agriculture parcels to which administration responded they would be in favor of.
- Mr. LaGrandeur responded that he would not be interested in consolidation.

Chair Tanni Doblanko expressed appreciation for the applicant's presentation and desire to preserve the farmland, but this application leaves it open for further development to occur and agrees with refusal.

Chair Tanni Doblanko asked if there were any other questions or comments and there were none.

**15-18** Chair Tanni Doblanko - that the application by the applicant Philip LaGrandeur to subdivide a developed 1.0 ha± (2.47 ac±) parcel, for country residential use, from a previously subdivided quarter section with a titled area of 26.90 ha± (66.47 ac±) be **refused** as per staff recommendation 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 policies of the Municipal Development Plan
  - a. Policy 3.1.1 stipulates productive agricultural land shall be protected for agricultural use;
  - b. Policy 3.1.2 stipulates that fragmentation and the amount of high capability land removed from production for non-agricultural development shall be minimized;
  - c. Policy 3.3.1 states that on high capability agricultural land, subdivision shall be limited to one lot from an unsubdivided quarter section and must be a suitable size and shape for agricultural use (approximately 32 ha); and
  - d. Policy 3.3.14(a) stipulates the subdivision shall be small in scale and well defined and would not set a precedent or encourage further subdivision of the surrounding lands.
2. Pursuant to Section 654(1)(b) of the Municipal Government Act, the proposed subdivision does not conform to Part 10.1.2 of the Land Use Bylaw 7-08 which states that the minimum size for agricultural lots in all Land Use Districts should be 32.4 ha (80.0 ac) or such size as results from a physical severance.
3. 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.

Chair Tanni Doblanko asked if there were any other questions or comment and there were none.



Carried

Pro: Chair Tanni Doblanko, Committee Members Vandenberghe, Lewis  
Con: Committee Members Belozer, Scobie

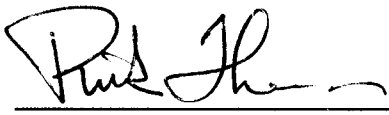
**Adjournment**

**16-18** Committee Member Scobie that the Subdivision Authority meeting be adjourned.

Carried Unanimously

The Subdivision Authority meeting concluded at 3:09 p.m.

  
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CHAIRMAN

  
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SECRETARY