



**SUBDIVISION AUTHORITY  
MEETING AGENDA  
Tuesday November 13, 2018**

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1. **ORDER – 3:30 p.m.**
2. **ORGANIZATIONAL MEETING OF THE AUTHORITY**
  - a) Nomination of Chair
  - b) Nomination of Vice Chair
3. **ADOPTION OF AGENDA**
4. **ADOPTION OF PREVIOUS MINUTES**

Subdivision Authority Minutes – October 16, 2018
5. **SUBDIVISION APPLICATIONS**
  1. SD18-047 – Morris - Plan 0729511, Lot 1, Block 1 (NW 1-51-25 W4)
6. **ADJOURNMENT**

✓ Attachment Provided

**Delegated Authority Decisions – (October - 3)**

**MINUTES OF THE REGULAR SUBDIVISION AUTHORITY MEETING OF LEDUC COUNTY  
HELD ON TUESDAY, NOVEMBER 13, 2018 IN THE COUNCIL CHAMBER OF THE COUNTY  
CENTRE BUILDING, NISKU, ALBERTA.**

**Order and Roll Call**

The meeting was called to order at 3:30 p.m., Tuesday, November 13, 2018 by Rick Thomas, Secretary of the Subdivision Authority with Committee Members Tanni Doblanko, Kelly Vandenberghe, Kelly-Lynn Lewis and Ray Scobie present.

Glenn Belozer was absent due to personal reasons.

Also present were:

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

4 other individuals were present.

**Organizational Meeting of the Authority**

Mr. Rick Thomas, Secretary of the Subdivision Authority, indicated as per Bylaw 24-08, that the Chair and Vice Chair are to be elected at the first Subdivision meeting, following the Council Organizational meeting.

**Nomination of Chair**

Mr. Rick Thomas, Subdivision Authority Secretary requested nominations for Chair of the Subdivision Authority. Committee Member Lewis nominated Committee Member Doblanko for Chair. A second nomination was called. A third nomination was called. No further nominations came forward.

**60-18** Committee Member Lewis - that the nominations cease and confirm Committee Member Doblanko as Chair of the Subdivision Authority.

Carried Unanimously

**Assume the Chair**

Committee Member Doblanko assumed the Chair and asked for nominations for Vice-Chair of the Subdivision Authority.

Committee Member Lewis nominated Committee Member Vandenberghe as Vice-Chair.

A second nomination was called. A third nomination was called. No further nominations came forward.

**61-18** Chair Tanni Doblanko - that the nominations cease and confirm Committee Member Vandenberghe as Vice-Chair of the Subdivision Authority.

Carried Unanimously



### **Agenda Adoption**

**62-18** Committee Member Scobie - that the Agenda for the November 13, 2018 Subdivision Authority meeting be adopted as presented.

Carried Unanimously

### **Previous Minutes – September 18, 2018**

**63-18** Committee Member Lewis - that the October 16, 2018 Subdivision Authority minutes be confirmed as circulated.

Carried Unanimously

### **Proposed Subdivision – Darrell Morris on behalf of Ron and Elsie Morris – Plan 0729511, Lot 1, Block 1 – NW 1-51-25 W4**

**D18-047**

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by applicant Darrell Morris on behalf of Ron and Elsie Morris. Staff recommends **refusal** of the application to subdivide an undeveloped 16.24 ha (40.13 ac) parcel for agricultural use from a title area of 32.38 ha (80.00 ac) 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 (25-16, as amended):
  - a. Objective 3.1.1 stipulates productive agricultural land shall be protected for agricultural use;
  - b. Objective 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 3.3.11(a)(c) Smallholdings may be allowed in the Agricultural areas where:
    - a. the land is low capability agricultural land;
    - b. the subdivision would not compromise the orderly and economical conversion of the land for higher intensity development in the future in those areas where high intensity development is anticipated; and
    - c. the County is satisfied that the subdivision is warranted to meet the special requirements of the agricultural industry in that location, and does not represent merely a large-lot country residential subdivision.
  - 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, as amended) 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 the following policies of the North Major Area Structure Plan:
  - a. Policy 7.5.3 states that any approval of a first parcel out and a fragmented parcel must be in accordance with the standards and criteria in Section 3.3 of Part Three of the Municipal Development Plan.
  - b. Policy 7.5.4 states that the minimum size for an agricultural parcel shall be 32 ha (80 acres) unless a smaller size for specialized farming operations (e.g. horticultural) is demonstrated to meet County criteria.

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4. Pursuant to Section 654(1)(c) of the Municipal Government Act, the proposed subdivision does not conform to Policy 6.2.2 of the Edmonton Metropolitan Region Growth Plan which 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.

The policies of the Municipal Development Plan, Land Use Bylaw, North Major Area Structure Plan and Edmonton Metropolitan Region Growth Plan are not met by this application.

**History:**

A 32.38 ha± (80.01 ac±) parcel was subdivided from the quarter section in 2007. The subject lands fall within the City of Edmonton annexation area.

**Discussion:**

The Farmland Assessment Rating (FAR) established by the County Assessment Department indicates the subject land consists of High Capability Agricultural Land (89%).

Within the subject parcel there is a dwelling with a yard site and accessory agricultural structures located in the northwest corner. In 2017 the agricultural lands were used for hay production. The applicant stated that the reason for subdividing the subject lands are due to the City of Edmonton annexation and for estate planning purposes.

The subject lands are designated as Agricultural within the North Major Area Structure Plan and Agricultural Area B within Leduc County's Municipal Development Plan.

Policy 3.3.2 of the Municipal Development Plan states that on high capability agricultural land, subdivision will be limited to one lot from an unsubdivided quarter section. The proposed subdivision would be considered the second parcel subdivided from the quarter section. The Municipal Development Plan has policy regarding agricultural smallholding parcels, which are 40 acres or greater and for agricultural use. Policy states that a business plan be provided to support the agricultural proposal and that smallholdings be located on low capability agricultural land. The lands are of high capability and the applicants have not submitted a business plan, or demonstrated to administration that the proposed parcel does not merely represent a large country residential lot.

The agricultural policies within the North Major Area Structure Plan echo the policies in the Municipal Development Plan. Furthermore, the Land Use Bylaw states that the minimum parcel size for agriculture use shall be 32 hectares or such size resulting from physical severance. It is the opinion of staff that the proposed subdivision sets precedent for further subdivision and development.

The proposed subdivision lies 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 Doblanko asked if Committee Members had any further questions for administration.

JD

- Dave Desimone advised that no other letters were received nor had we received a response from City of Edmonton;
- Is not aware what the City of Edmonton would classify as farm land and 40 acres could be considered farm land;
- Proposed configuration allows for existing development to continue. Trailer location is zoned Agricultural and is a discretionary use.
- Charlene Haverland advised that this subdivision will not affect the RV storage on the neighboring property as it is a separate title and has no bearing on the current zoning.

Chair Doblanko called upon the applicant to speak to the subdivision. Darrell Morris approached and provided the following information:

- His parents purchased the land in 1969 for farming and he is the primary person farming the land. His name would be added to north parcel so that he could continue to have access to farm yard and buildings
- Parents are wanting to subdivide the land for estate planning;
- Their daughter would inherit south parcel which would remain as farm land and not for residential use;
- The land is high capacity farm land. Both parcels will continue to be farmed as long as possible;
- This application does not set precedent as the intent will maintain agricultural;
- The land is within the annexation area where urban development has commenced to north and south of proposed subdivision;
- The land is within the Edmonton Metropolitan Growth Plan which protects and maintains large contiguous farm land.

Chair Doblanko asked if Committee Members had any further questions of the applicant. Charlene Haverland advised:

- The City of Edmonton Land Use Bylaw states a minimum of 32 ha for Agricultural Use. The usage will remain as is if there is no significant development (upon annexation).

Mr. Morris provided additional information:

- 4 pastures are used for llamas; south is pasture land; east side is hayfield. The remainder is crop land. There is a windbreak along south of residential site;
- He has been in discussion with Public Works regarding the necessary drainage ditch upgrade.

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

**64-18** Member Lewis – that the application by applicant Darrell Morris on behalf of Ron and Elsie Morris to subdivide an undeveloped 16.24 ha (40.13 ac) parcel for agricultural use from a title area of 32.38 ha (80.00 ac) be **refused** as per staff recommendation as the land is high capacity farmland and leaving the 80 acres as a whole would be better. Chair Tanni Doblanko supports this recommendation.

Pro: Chair Doblanko, Committee Member Lewis  
Con: Committee Members Vandenberghe and Scobie

Lost

As the motion ended in a tie vote the application is lost.

JD

Chair Tanni Doblanko explained the appeal process to the applicant.

**Adjournment**

**65-18** Committee Member Scobie that the Subdivision Authority meeting be adjourned.

Carried Unanimously

The Subdivision Authority meeting concluded at 4:02 p.m.

  
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CHAIRMAN

  
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SECRETARY