



**SUBDIVISION AUTHORITY  
MEETING AGENDA  
Tuesday August 21, 2018**

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**1. ORDER – 1:30 p.m.**

**2. ADOPTION OF AGENDA**

**3. ADOPTION OF PREVIOUS MINUTES**

Subdivision Authority Minutes – July 17, 2018

**4. SUBDIVISION APPLICATIONS**

1. SD18-010 – James & Lori Gunsch – Plan 1323429, Block 1, Lot 4 within SE 14-49-1 W5
2. SD18-033 – Dean & Crystal Kuzio – NW 15-48-2 W5
3. SD18-034 – Peter & Lorraine Maskiewicz – NE 26-48-28 W4
4. SD18-035 – Balraj Sangha on behalf of Hopewell Development (Leduc) Inc. – Plan 1623101, Block 2, Lot 29 within NE 5-51-24 W4
5. SD18-036 – Bemoco Land Surveyor Ltd. on behalf of York Realty Inc. – Plan 0828086, Block 7, Lot 13 within NE 13-50-25 W4
6. SD18-037 – Sterling Kolskog on behalf of Kolskog Holdings Ltd. – N ½ of NW 14-48-28 W4
7. SD18-038 – Philip Hein – NE 20-48-24 W4

**5. ADJOURNMENT**

✓ Attachment Provided

**Delegated Authority Decisions – (July - 4)**

**MINUTES OF THE REGULAR SUBDIVISION AUTHORITY MEETING OF LEDUC COUNTY  
HELD ON TUESDAY, AUGUST 21 2018 IN THE COUNCIL CHAMBER OF THE COUNTY  
CENTRE BUILDING, NISKU, ALBERTA.**

**Order and Roll Call**

The meeting was called to order at 1:30 p.m., Tuesday, August 21, 2018 by Chair Tanni Doblanko with Committee Members Kelly Vandenberghe, Kelly-Lynn Lewis, Glenn Belozor and Ray Scobie present.

Also present were:

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

9 other individuals were present.

**Agenda Adoption**

**41-18** Committee Member Belozor - that the Agenda for the August 21, 2018 Subdivision Authority meeting be adopted as presented.

Carried Unanimously

**Previous Minutes – July 17, 2018**

**42-18** Committee Member Lewis - that the July 17, 2018 Subdivision Authority minutes be confirmed as amended:

- With the addition under Order and Roll Call – Committee Member Lewis was absent due to personal reasons

Carried Unanimously

**Proposed Subdivision – James & Lori Gunsch  
Plan 1323429, Block 1, Lot 4 within SE 14-49-1 W5**

**SD18-010**

Mr. Dave Desimone, Senior Planner, Development Services presented an updated staff report with respect to the application by applicants James & Lori Gunsch. Staff recommends approval of the application to subdivide an undeveloped 8.09 ha (20 ac) parcel for agricultural industrial use from a titled area of 8.09 ha± (20.0 ac±). The proposed parcel will be accessed through the existing Thorsby Auction Market access.

**History:**

The subject lands are located adjacent to Range Road 11 and Township Road 492. A 5.14 ha± (12.70 ac±) parcel was subdivided from the quarter section in 2006. Three parcels of 18.45 ha± (45.6 ac±), 15.67 ha± (45.6 ac±) and 4.26 ha± (10.5 ac±) were subdivided from the quarter section in 2012.

This application was presented to the Subdivision Authority on April 17, 2018 and again on May 15, 2018 at which time the decision was deferred in order for the applicant to initiate a Land Use Amendment for the subject lands.



Bylaw No. 20-18 to redistrict the subject lands from the AG – Agricultural District to the IAR – Industrial/Agricultural Resource District was given 3rd reading by Leduc County Council on July 3, 2018. The redistricting of these lands to support the expansion of the Thorsby Auction Mart also supports this proposed subdivision of an undeveloped 8.09 ha± (20.0 ac±) parcel for agricultural industrial use from a titled area of 18.5 ha± (45.71 ac±).

### **Discussion:**

The Farmland Assessment Rating (FAR) established by the County Assessment Department indicates the subject land consists of a mix of Low and High Capability Agricultural Land (40%-56%). The Municipal Development Plan indicates that on high capability agricultural land subdivision shall be limited to one lot out of the quarter section, however, Policy 3.3.3(f) stipulates land shall not be considered high capability agricultural land if the land is required to allow industrial uses to expand in a logical manner. Administration is of the opinion the proposed subdivision would allow for the logical expansion of an existing operation due to the location of the subject lands and support from the Town of Thorsby.

The policies and objectives of the Municipal Development Plan stipulate that joint planning with adjacent municipalities shall be conducted to achieve harmonious and compatible land use patterns, resolve interjurisdictional issues and conflicts, and develop logical extensions of roadways and utilities. Leduc County and the Town of Thorsby have recently begun the first stages of exploring an Intermunicipal Development Plan and Intermunicipal Collaboration Framework.

The applicant stated they are subdividing to sell the land to the Thorsby Auction. The applicant submitted a letter from the Town of Thorsby dated January of 2018 stating the Town had no objection in principle to providing access to the proposed parcel for vehicles under 1 ton, following a process of development and access approvals, which were not in place at that time. The Town of Thorsby responded to the referral for the proposed subdivision on March 16, 2018 stating that an agreement for access had not been issued and that this should be resolved prior to subdivision approval. A condition of approval is that an access agreement be registered to grant the newly proposed parcel legal access through the Thorsby Auction Market.

Objective 6.3 of the Edmonton Metropolitan Region Growth Plan is to promote diversification and value-added agriculture production to support the agricultural sector and regional food system with Policy 6.3.1(c) stipulating value-added agriculture production and the diversification of the agricultural sector will be pursued by supporting manufacturing, packaging, shipping and distribution to wholesalers, agri-tourism, farmers' markets and urban agriculture promoting diversification related to food production, processing and distribution. The Thorsby Auction Mart provides a service directly related to agricultural production and the agricultural community. The proposed expansion, and proposed subdivision, is supported by the objectives and policies of the Edmonton Metropolitan Region Growth Plan.

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

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

- He has not heard anything further from the neighbors.

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

A discussion took place regarding the timing of Leduc County's Rural Road Surfacing Contribution program and when this policy came into effect in relation to when the subdivision application was made.

**43-18** Member Scobie - that the application by the applicants James and Lori Gunsch to subdivide an undeveloped 8.09 ha (20 ac) parcel for agricultural industrial use from a titled area of 8.09 ha± (20.0 ac±) be **approved** with the following conditions:

1. Pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant/owner enter into a development agreement with Leduc County and abide by the terms therein;
2. 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;
3. Pursuant to Section 9(a) of the Subdivision and Development Regulation, the applicant/owner shall provide access to each lot created. An access agreement between the newly created lot and the lands directly north of the newly created lot be registered on title;
4. Pursuant to Section 669(1) of the Municipal Government Act, existing municipal reserves in the amount of 1.85 ha be further deferred against the remnant parcel; and
5. The subdivision be registered pursuant Alberta Land Titles requirements.

Pro: Chair Doblanko, Committee Members Scobie, Belozer and Vandenberghe

Con: Member Lewis

Carried

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

### **Proposed Subdivision – Dean & Crystal Kuzio SD18-033**

Mr. Kyle Payne, Planner, Development Services, presented a staff report with respect to the application by applicant/landowners Dean & Crystal Kuzio. Staff recommends approval of the application to subdivide a developed, physically severed, 10.71 ha± (26.46 ac±) parcel for agricultural use from an unsubdivided parcel with a titled area of 64.75 ha± (160.00 ac±).

### **History:**

The quarter section is unsubdivided.

### **Discussion:**

The Manager of Development Services and the Director of Planning and Development are delegated to approve physical severance and first parcel subdivisions. However, Administration requires the application be brought forward to Subdivision Authority for a decision since a letter was received from an adjacent landowner opposing the subdivision.

The subject lands are located adjacent to Range Road 23. The Farmland Assessment Rating (FAR) established by the County Assessment Department indicates the subject land consists of a mix of Low and High Capability Agricultural Land (47.0%, 36.0%, 30.0%, and 12.0%). The policies of the Municipal Development Plan indicate that physically severed parcels can be

subdivided provided that they have legal and physical access and that they are greater than 1 hectare in size.

Physical and legal access requirements of the proposed and remnant parcel will be met via Range Road 23. There is an existing access that will serve the proposed parcel, and a 12 metre wide access located on the south size of the quarter section will serve the remnant lands. The physical access of the remnant parcel will need to transect a creek. The landowner has tentative permission from Alberta Environment and Parks to install a creek crossing, however this crossing must utilize best management practices for mitigating sedimentation and/or erosion of the creek and the culvert must be sized to allow for natural water flow and fish passage with no impoundment of water.

Part 10.1.2 of the Land Use Bylaw 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. The proposed subdivision encompasses the lands west of the creek that transects the parcel north to south, therefore the proposed subdivision conforms to Part 10.1.6 of the Land Use Bylaw; Administration supports the parcel proposed by the applicant.

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.

One adjacent landowner submitted a statement opposing the subdivision.

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

Kyle Payne provided the following information:

- Legal and physical access is existing;
- Responsibility of owner to build access across creek;
- Landowner would work with Alberta Environment & Parks to construct access across the creek;
- Applicant owns the entire quarter section;
- Letter of intent was circulated with referral letter.

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

- The creek is artesian fed and a good supply of water for cattle;
- Prefers the creek on the smaller parcel
- Subdividing for personal reasons: downsizing; land to east would be rented out.

Chair Tanni Doblanko supports the subdivision, with the creek on the smaller parcel.

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

**44-18** Committee Member Belozor - that the application by Dean & Crystal Kuzio to subdivide a developed, physically severed 10.71 ha± (26.46 ac±) parcel for agricultural use from an unsubdivided parcel with a titled area of 64.75 ha± (160.00 ac±) be **approved** with the following conditions:

1. Pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant/owner enter into a development agreement with Leduc County and abide by the terms therein;

2. 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;
3. Pursuant to Section 7(g) of the Subdivision & Development Regulation, the applicant/owner confirms 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 9(a) of the Subdivision and Development Regulation, the applicant/owner shall provide access to each lot created. Each approach shall be built to Leduc County Development Standard; and
5. The proposed parcel boundary on the east side of the creek shall be a minimum of 6 metres from the creek top-of-bank or the current tree, whichever is greater; and
6. The subdivision be registered pursuant Alberta Land Titles requirements.

Carried Unanimously

The Subdivision Authority is of the opinion that the applicant is working with Alberta Environment & Parks to obtain approved access across the creek to the remnant parcel.

**Proposed Subdivision – Peter & Lorraine Maskiewicz – NE 26-48-28 W4**

**SD18-034**

Mr. Kyle Payne, Planner, Development Services, presented a staff report with respect to the application by applicant/landowners Peter & Lorraine Maskiewicz. Staff recommends approval of the application to subdivide a 4.86 ha± (12.01 ac±) developed parcel for country residential use from an unsubdivided quarter section with a titled area of 63.94 ha± (158.00 ac±).

**History:**

No prior subdivision of the quarter section has occurred.

**Discussion:**

The Manager of Development Services and the Director of Planning and Development are delegated the authority to approve first parcel out subdivisions. However, administration requires the application be brought forward to Subdivision Authority for a decision since a letter opposing the subdivision was received from an adjacent landowner.

Township Road 485 is immediately north of the parcel and Range Road 281 lies to the east. The parcel is sloped south to north. A dugout is located along south boundary and a pipeline right-of-way (002 1013) lies along the west boundary of the parcel. The Farmland Assessment Rating (FAR) established by the County Assessment Department indicates the subject land consists of high and low capability agricultural land (42.3% and 9%).

The policies of the Municipal Development Plan indicate that on high capability agricultural land subdivision shall be limited to one parcel from the quarter section. This parcel is considered the first parcel subdivided from the quarter section.

Part 10.1.6 of the Land Use Bylaw states that non-agricultural parcels to be created no larger than required to encompass the area for buildings and natural features considered necessary by the Subdivision Authority for reasonable development and use of the parcel. The proposed subdivision encompasses the existing yard site, including accessory structures for agricultural use, therefore the proposed subdivision conforms to Part 10.1.6 of the Land Use Bylaw and Administration supports the larger parcel proposed by the applicant.

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.

Administration is of the opinion that the proposed parcel meets the intent of the Municipal Development Plan and the Land Use Bylaw, therefore approval of the subdivision is recommended.

One adjacent landowner submitted a statement opposing the subdivision.

Chair Tanni Doblanko asked if Committee Members had any further questions for administration. Kyle Payne provided the following information:

- The parcel configuration follows tree line and would keep all of the farmland together;
- Farm buildings would remain with the subdivision;
- Private sewage disposal to Provincial standards will be a condition of approval;
- Approaches as per County policy will be a condition of approval even though the applicant would like all approaches to remain.

Rae-Lynne Spila, Municipal Engineer advised that 2 approaches would have to be removed as per County policy.

Chair Tanni Doblanko called upon the applicant to speak to the subdivision. The applicant was not able to attend the meeting.

**45-18** Committee Member Scobie - that the application by Peter & Lorraine Maskiewicz. to subdivide a 4.86 ha± (12.01 ac±) developed parcel for country residential use from an unsubdivided quarter section with a titled area of 63.94 ha± (158.00 ac±) be **approved** with the following conditions:

1. Pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant/owner enter into a development agreement with Leduc County and abide by the terms therein;
  - i) As per Leduc County policy, the landowner shall remove two of the accesses to the newly created parcel.
2. 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;
3. Pursuant to Section 7(g) of the Subdivision & Development Regulation, the applicant/owner confirms 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 9(a) of the Subdivision and Development Regulation, the applicant/owner shall provide access to each lot created. Each approach shall be built to Leduc County Development Standard; and
5. The subdivision be registered pursuant Alberta Land Titles requirements.

Carried Unanimously

The Subdivision Authority was of the opinion that this subdivision will keep the productive farmland together with the farm buildings remaining on the proposed parcel. The subdivision does not increase the potential for weeds or presents a fire hazard and the application meets the intent of the Municipal Development Plan and the Land Use Bylaw.

**Proposed Subdivision – Balraj Sangha on behalf of Hopewell Developments (Leduc) Inc. –  
Plan 1623101, Block 2, Lot 29 within NE 5-51-24 W4 SD18-035**

Mr. David Desimone, Senior Planner, Development Services, presented a staff report with respect to the application by Balraj Sangha on behalf of Hopewell Developments (Leduc) Inc. Staff recommends approval of the application to subdivide a an undeveloped 0.575 ha (1.42 ac) parcel for industrial use from a subdivided quarter section with a title area of 1.15 ha (2.84 ac).

**History:**

The subject lands are located adjacent to the Spine Road with access proposed from 13th Street. The proposed subdivision is located within the QEII Business Park Local Area Structure Plan area which proposes a range of industrial compatible with the Leduc County Land Use Bylaw.

**Discussion:**

The subdivision application is in compliance with the QEII Business Park Local Area Structure Plan, North Major Area Structure Plan, Municipal Development Plan, Leduc County Land Use Bylaw, and Edmonton Metropolitan Region Growth Plan. The QEII Business Park Local Area Structure Plan (LASP) was approved by Council on September 25, 2012. The proposed lots are within the IND – Industrial District of the Land Use Bylaw and will require access off 13th Street.

A development agreement will address the connection to water and sewer services. The existing storm water management facility developed in Stage 1 of the QEII Business Park will provide the necessary water quantity and flood control measures for the proposed lots and future development.

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, grading and utilities. The design and construction of the accesses shall be in accordance with the Leduc County Development Standards.

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

David Desimone, Senior Planner advised that:

- The east boundary of the parcels are adjacent to the west boundary of the Spine Road; and
- Offsite levies have been paid.





Chair Tanni Doblanko called upon the applicant to speak to the subdivision. Mr. Sangha approached and no further information was requested.

**46-18** Member Lewis - that the application by the applicant, Balraj Sangha on behalf of Hopewell Developments (Leduc) Inc. to subdivide an undeveloped 0.575 ha (1.42 ac) parcel for industrial use from a subdivided quarter section with a title area of 1.15 ha (2.84 ac) be **approved** 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 is not limited to the:
  - i) provision of water and sewer connection;
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; and
3. The subdivision be registered pursuant Alberta Land Titles requirements.

Carried Unanimously

There were no adjacent land owner comments received regarding the proposed subdivision

**Proposed Subdivision – Bemoco Land Surveyor Ltd. on behalf of York Realty Inc. –  
Plan 0828086, Block 7, Lot 13 within NE 13-50-25 W4 SD18-036**

Mr. David Desimone, Senior Planner, Development Services presented a staff report with respect to the application by applicant Bemoco Land Surveyor Ltd. on behalf of York Realty Inc. Staff recommends approval of the application to subdivide a developed 1.70 ha (4.20 ac) parcel for industrial use from a title area of 5.56 ha (13.7 ac).

#### **History:**

The subject lands are located adjacent to 8th Street and 15th Avenue. The proposed subdivision is situated within the Light Industrial area of the Nisku Area Structure Plan.

#### **Discussion:**

The subject lands are identified as Industrial in accordance within Leduc County Land Use Bylaw. The Land Use Bylaw states the purpose of this District is to accommodate a range of compatible industrial and commercial uses. The proposed lots are developed with existing buildings and municipal services to each lot. The location is guided by the Nisku Area Structure Plan.

The Land Use Bylaw requires that lots shall be designed and constructed to meet the Leduc County's engineering standards for municipal water and sanitary sewer. The design and construction of the accesses shall be in accordance with the Leduc County Development Standards. Off-site levies for the subject lands have been paid in full.

The subdivision application is in compliance with the Nisku Area Structure Plan, Municipal Development Plan, Leduc County Land Use Bylaw, and Edmonton Metropolitan Region Growth Plan.

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



David Desimone, Senior Planner provided the following information:

- There is an approved Development Permit for an asphalt plant and rail spur in the 100' between the rail line and Lot 13A.

Chair Tanni Doblanko called upon the applicant to speak to the subdivision. The applicant was not in attendance.

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

**47-18** Committee Member Vandenberghe - that the application by the applicant, Bemoco Land Surveyor Ltd. on behalf of York Realty Inc. to subdivide a developed 1.70 ha (4.20 ac) parcel for industrial use from a title area of 5.56 ha (13.7 ac) be **approved** 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 is not limited to the:
  - i) provision of water and sewer connection;
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. The subdivision be registered pursuant Alberta Land Titles requirements.

Carried Unanimously

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

**Proposed Subdivision – Sterling Kolskog on behalf of Kolskog Holdings Ltd. –  
N ½ of NW 14-48-2 W4**

**SD18-037**

Mr. Kyle Payne, Planner, Development Services, presented a staff report with respect to the application by applicant Sterling Kolskog on behalf of Kolskog Holdings Ltd. Staff recommends approval of the application to subdivide a developed 17.00 ha± (42.01 ac±) parcel for small holdings use from a previously subdivided parcel with a titled area of 32.35 ha± (79.93 ac±).

**History:**

The previous subdivision (80 acres) of this quarter section was approved in 1978

**Discussion:**

The applicant is proposing to subdivide 17.00 ha± (42.01 ac±) for smallholdings use. The applicant operates a berry farm on the proposed parcel. The policies of the Municipal Development Plan stipulate that smallholding parcels may be allowed on low capability lands where a specialized agricultural undertaking has been proposed. These parcels are to be approximately 16 ha in size.

The definition of high capability lands is cultivated and/or improved land with a farmland assessment rating of 41% or higher; or wooded and/or unimproved land with a Canada Land Inventory rating of Class 1, 2 or 3. The subject lands are wooded with a Farm Assessment Rating



of 9, therefore are presently considered low capability lands but would be considered high capability if the lands were cleared since they have a Canada Lands Inventory rating of 2. The applicant indicated that clearing the lands for intensive widespread agricultural use is onerous as the soils contain many large boulders; therefore clearing the lands for berry production is a suitable use.

The Land Use Bylaw allows for lots less than the prescribed minimum (80 acres) providing it can support an economically viable agricultural operation. The applicant has indicated that the berry farm use is suitable on the subject land and have demonstrated that the proposed use is economically viable.

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.

Taking into consideration the Canadian Lands Inventory rating identified as high capability land within the Municipal Development Plan for smallholdings, Administration are of the opinion that the application meets the intent of creating a smallholdings parcel, therefore Planning and Development recommends approval of the subdivision.

Chair Tanni Doblanko asked if Committee Members had any further questions for administration. Kyle Payne provided the following information:

- Business plan and brochure were received with the application;
- Berries are being supplied to local brewery;
- Property is located adjacent to the Wizard Lake Area Structure Plan;

Rae-Lynne Spila, Municipal Engineer advised that location of access to new parcel will have to be determined. There will not be a requirement to construct road to new parcel, and a "Y" approach will suffice.

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

- The north parcel will not have a berry farm on it;
- The land is very rocky and cannot be cultivated. The 2 fields have been rototilled and rocks have been hand picked;
- The north parcel is not feasible to grow berries on;
- They will live on the berry farm and sell the north parcel in order to purchase new equipment to harvest the berries;
- A residence with no basement could be placed on the north parcel.

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

Chair Tanni Doblanko advised that she would be supporting this application as the small holdings is up and running and is a good local business.

**48-18** Chair Tanni Doblanko - that the application by Sterling Kolskog on behalf of Kolskog Holdings Ltd. to a developed 17.00 ha± (42.01 ac±) parcel for smallholdings use from a previously subdivided parcel with a titled area of 32.35 ha± (79.93 ac±) be **approved** with the following conditions:



1. Pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant/owner enter into a development agreement with Leduc County and abide by the terms therein;
2. 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;
3. Pursuant to Section 7(g) of the Subdivision & Development Regulation, the applicant/owner confirms 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 ten percent of the title area be deferred against the titles proportionately;
5. Pursuant to Section 9(a) of the Subdivision and Development Regulation, the applicant/owner shall provide access to each lot created. Each approach shall be built to Leduc County Development Standard; and
6. The subdivision be registered pursuant Alberta Land Titles requirements.

Carried Unanimously

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

**Proposed Subdivision – Philip Hein – NE 20-48-24 W4**

**SD18-038**

Mr. Kyle Payne, Planner, Development Services, presented a staff report with respect to the application by applicant/landowner Philip Hein. Staff recommends approval of the application to subdivide a developed 6.50 ha± (16.06 ac±) parcel for country residential and recreational vehicle storage use from an unsubdivided parcel with a titled area of 64.70 ha± (159.87 ac±).

**History:**

The quarter section is unsubdivided.

**Discussion:**

The Manager of Development Services and the Director of Planning and Development are delegated to approve first parcel out subdivisions. However, due to the proposed large size administration requires the application be brought forward to Subdivision Authority for a decision. The application is for a larger parcel size due to the larger yard site.

The subject lands are located adjacent to Township Road 484 and Range Road 244. The proposed subdivision contains a yard site with tree stands, agricultural accessory structures, a dwelling, and a recreational vehicle storage lot. The development permit expired in 2015 for the recreational vehicle storage use. Recreational storage facilities are a discretionary use within the Agricultural District of the Land Use Bylaw. The Agricultural District permits up to 5% of the parcel's area to be developed as recreational vehicle storage, therefore subdividing the parcel will necessitate the area of recreational vehicle storage to be decreased. The landowner will need to apply for a development permit for the continued use of the recreational vehicle storage or



immediately cease operation. The area permitted for recreational vehicle storage on the proposed parcel would be 0.803 acres, as per the Land Use Bylaw. The current size of the storage lot is approximately 2.34 acres.

The remnant parcel is primarily used for agriculture with a portion of the 2017 aerial imagery indicating a portion of lands that are wet and presently not being farmed.

The Farmland Assessment Rating (FAR) established by the County Assessment Department indicates the subject land consists of a mix of Low and High Capability Agricultural Land (78%, 72%, and 31%). 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. This parcel is considered the first parcel subdivided from the quarter section.

Part 10.1.6 of the Land Use Bylaw states that non-agricultural parcels to be created no larger than required to encompass the area for buildings and natural features considered necessary by the Subdivision Authority for reasonable development and use of the parcel. The proposed subdivision encompasses the existing yard site, including accessory structures, therefore the proposed subdivision conforms to Part 10.1.6 of the Land Use Bylaw and Administration supports the larger parcel proposed by the applicant.

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.

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

Charlene Haverland, Manager of Development Services provided the following information:

- There is an expired Development Permit for RV storage. The applicant could have left the RV storage with the remnant but they chose not to;
- The current use of the property is not compliant with the Land Use Bylaw. This subdivision will force the landowner to bring the development into compliance but with a lesser amount of RV units being allowed. RV storage may not continue as it is today. They will have to apply for a new development permit.

Kyle Payne provided the following information:

- The intent of the subdivision is to sell the remnant land.

Member Vandenberghe advised that the land has been farmed for 3 generations. One structure will be demolished and another structure is a historical building.

Chair Tanni Doblanko called upon the applicant to speak to the subdivision. The applicant was not able to attend the meeting.

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

**49-18** Committee Member Vandenberghe that the application by Philip Hein to subdivide a developed 6.50 ha± (16.06 ac±) parcel for country residential and recreational vehicle storage use from an unsubdivided parcel with a titled area of 64.70 ha± (159.87 ac±) be approved with the following conditions:

1. Pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant/owner enter into a development agreement with Leduc County and abide by the terms therein;

2. 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;
3. Pursuant to Section 7(g) of the Subdivision & Development Regulation, the applicant/owner confirms 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 9(a) of the Subdivision and Development Regulation, the applicant/owner shall provide access to each lot created. Each approach shall be built to Leduc County Development Standard;
5. Pursuant to Section 3.1 of the Land Use Bylaw, a development permit shall be obtained for recreational vehicle storage use for an area no greater than 0.803 acres, or the use immediately cease on the subject lands; and
6. The subdivision be registered pursuant Alberta Land Titles requirements.

Carried Unanimously

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

### **Adjournment**

**50-18** Committee Member Lewis that the Subdivision Authority meeting be adjourned.

Carried Unanimously

The Subdivision Authority meeting concluded at 2:52 p.m.



CHAIRMAN



SECRETARY

