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**SUBDIVISION AUTHORITY  
MEETING AGENDA  
Tuesday, February 20, 2018**

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1. **ORDER – 1:30 p.m.**

2. **ADOPTION OF AGENDA**

3. **ADOPTION OF PREVIOUS MINUTES**

Subdivision Authority Minutes – January 16, 2018

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4. **SUBDIVISION APPLICATIONS**

1. SD17-068 – Ian & Laurel Strom – NW 30-50-23 W4

√ Dave Desimone

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

√ Charlene Haverland

3. SD18-001 – Russell & Brian Kushinski – SW 32-49-27 W4

√ Dave Desimone

4. SD18-002 – Kevin & Annett Vernerey – SE 36-48-1-W5

√ Dave Desimone

5. **ADJOURNMENT**

√ Attachment Provided

**Delegated Authority Decisions – (January - 0)**

**MINUTES OF THE REGULAR SUBDIVISION AUTHORITY MEETING OF LEDUC COUNTY  
HELD ON TUESDAY, FEBRUARY 20, 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 1:30 p.m., Tuesday, February 20, 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. Duane Coleman, Secretary of the Subdivision Authority
- Mrs. Rae-Lynne Spila, Municipal Engineer
- Mrs. Laurie Stoetzel, Recording Secretary
- Mr. Matthew Miller, Planning/Engineer Technologist
- Mrs. Lynn White, Executive Assistant

8 other individuals were present.

**Agenda Adoption**

**05-18** Committee Member Belozar that the Agenda for the February 20, 2018 Subdivision Authority meeting be adopted as circulated.

Carried Unanimously

**Previous Minutes – January 16, 2018**

**06-18** Committee Member Lewis that the January 16, 2018 Subdivision Authority minutes be confirmed as circulated.

Carried Unanimously

**Proposed Subdivision - NW 30-50-23 W4**

**SD17-068**

David Desimone, Senior Planner, Development Services presented a staff report with respect to the application by applicants/landowners Ian & Laurel Strom. Staff recommends approval of the application to subdivide a 1.08 ha (2.66 ha) residential parcel from a developed residential parcel with a title area of 2.49 ha (6.15 ac).

**History:**

The Carriage Hills subdivision was approved in 2003 comprising of five lots located in the southeast corner of Beau Hills Subdivision. There are currently 25 lots within the quarter section.

**Discussion:**

The subdivision application is in compliance with the Land Use Bylaw and the Municipal Development Plan in that the size of the new residential lot is between 1.0 ha (2.47 acres) and 4.0 ha (9.88 acres). The application complies with Section 3.3.21 of the Municipal Development Plan pertaining to residential infill lots, which stipulates that an infill lot may be allowed where it would not significantly alter the character of the area, or increase demand on public services.



Further, the application is in compliance with Section 3.3.16 of the Municipal Development Plan which limits the number of Country Residential Lots on a quarter section to thirty five (35) lots per quarter section (64.8 ha). There are currently 25 registered lots in this quarter section. Administration recommends the applicant submit a plot plan by an ALS to ensure there is a building pocket that can adequately support a dwelling.

The proposed subdivision is in the Rural Area of the Edmonton Metropolitan Region Growth Plan (EMRGP). Policy 4.1.1 of the EMRGP stipulates population growth will be planned and phased in a responsible manner and a contiguous pattern and in accordance with the Edmonton Metropolitan Regional Structure.

One adjacent landowner submitted comments regarding the subdivision.

Chair Tanni Doblanko asked if Committee Members had any questions for the technical staff and in response to questions from Committee Members Mr. David Desimone, Senior Planner advised:

- A water study needs to be done, cisterns to be used until study is completed;
- Property is north of Highway 625, no comments were received from Alberta Transportation;
- Plot plan is recommended by professional surveyor showing a building envelope with setbacks;
- Provisions of the Land Use bylaw would allow for a house to fit that meets setback requirements and intended use;
- Mrs. Charlene Haverland also advised that a Restrictive Covenant is put on title by the developer, and not by the county. The purpose of the Restrictive Covenant is to restrict size of house for example. Developer can remove the Restrictive Covenant. It is not typical to require a plot plan but upon site inspection it could not be determined if the site was sufficient so plot plan would be required to show a house plan can work;
- Mrs. Rae-Lynne Spila advised that Public Works does not go out and measure water levels. The area has been maintained so this one is not a problem;
- Mr. David Desimone advised that a drainage plan is required to be submitted when a development permit is applied for.

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

Chair Tanni Doblanko called upon the applicants/landowners to speak to the subdivision. Mr. Ian Strom came forward and indicated:

- He is the owner of the property with his wife Laurel Strom;
- Regarding the drainage, they were the first owners in the subdivision since 2007;
- He built 2 of the houses and there have been no water issues;
- Regarding the building pocket, they went with the largest footprint that was required and still had enough setbacks to the drainage right-of-way as long as the eaves don't go over. The trees have grown quite a bit. The original drainage right-of-way followed the tree line. In the low lying area, water has never come up to the tree line. There is a bit more water in the spring time;
- Regarding the sewage holding tank, there is room on the north part of the lot for a field system, but they have chosen not to use a field;

- Access to the lots are from Carriage Hills.

Chair Tanni Doblanko asked if Committee Members had any further questions for the applicant/landowner and there were none.

**07-18** Committee Member Lewis -- that the application by applicants Ian and Laurel Strom to subdivide a 1.08 ha residential parcel from a developed residential parcel with a title area of 2.49 ha. be approved as per staff recommendation and 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 paved access to each lot created. Each approach shall be built to Leduc County Development Standards;
4. Pursuant to Section 655(1) of the Municipal Government Act, a restrictive covenant be registered against the newly created lots prohibiting potable water from any well on the lands unless a Potable Water Study, satisfactory to Leduc County and Alberta Environment has been prepared by a qualified person and demonstrates that the diversion of 1250 cubic metres of water per year for household purposes for the newly created lot on the said lands is sustainable and will not interfere with any uses of ground water existing at the time of the Study;
5. Pursuant to Section 7(g) of the 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 any existing sewage disposal system found to be not in compliance, any alteration(s) to existing system(s) or installation of new system(s) required to gain compliance shall be completed;
6. Pursuant to 655(1)(l) of the Municipal Government Act, the applicant/owner shall contribute \$8,325.00 per lot to future surfacing of roadways within the Rural Roads Surfacing Contribution area; and
7. That the Applicant/Owners submit a plot plan by a Alberta Land Surveyor, of the newly created lot satisfactory to Leduc County
8. Pursuant to Land Titles Office requirement, that the subdivision be registered by Plan of Survey.

Carried Unanimously

The applicant/landowner advised that he understood and agreed with the decision.

Adjacent landowner's comments: Infringement of Restrictive Covenant; Ground Water Drainage

Mr. David Desimone advised that the plot plan will determine a building pocket with house to be built with the character and design as per the Restrictive Covenant. The 2<sup>nd</sup> objection has been addressed

Ian & Lauren Strom left the meeting at 1:54 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.

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 the technical staff. Mrs. Charlene Haverland, Manager of Development Services responded:

- Width of the P.U.L. is 32m with 6m being dedicated as M.R.;
- Phase 1 has not been completed with the Development Agreement still outstanding. Condition of subdivision is that both subdivisions be registered concurrently. Council makes the decision to grant extensions. Phase 2 includes a P.U.L. lot. Same developer for both subdivisions.

Chair Tanni Doblanko called upon the applicants/landowners to speak to the subdivision. Aime Stewart, Planning Manager, Scheffer Andrew Ltd., Andrew, Lytovchenko, Project Manager, Scheffer Andrew Ltd. and Mike Duff came forward. Ms. Stewart advised that engineered drawings for stages 1, 2 and 3 will be provided by February 27<sup>th</sup>.

Ms. Stewart provided a power point presentation stating that they were in agreement with the conditions of the subdivision except for the MR obligation. They are proposing:

- the MR condition to read "Obtain a Municipal Reserve credit of 0.3 ha for developing a shared use trail within a 6.0m wide corridor in the south PUL (regional trunk sewer R/W);
- walkable community with linkages between neighborhoods, natural areas and surrounding park spaces;
- "fitness stations" along the shared use trail system;
- shared use trail in the south regional trunk R/W to provide east west connectivity within the plan area and to adjacent neighborhoods;





- total MR obligation will be a combination of developed park space and cash in lieu.

Chair Tanni Doblanko asked if Committee Members had any further questions for the applicant/landowner. Ms. Stewart responded as follows:

- fencing will be place around the pond as per the conditions;
- cost for 6m MR out of 32m – original calculations – 2.51ha dedicating .7ha park space (\$527,000);
- paved trail at a cost of \$100,000.

Discussion continued regarding dedication/cash in lieu of M.R.

**08-18** Chair Tanni Doblanko -- that the application by applicant Aime Stewart of Scheffer Andrew Ltd. on behalf of landowner The Goldman Group (Alberta) Ltd. to subdivide 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 deferred to the March 15, 2018 Subdivision Authority meeting to allow time for the Subdivision Authority to consider the applicant's position on the Municipal Reserves.

Carried Unanimously

Aime Stewart, Andrew, Lytovchenko and Mike Duff left the meeting at 2:37 pm

#### **Proposed Subdivision SW 32-49-27 W4**

**SD18-001**

David Desimone, Planner, Development Services presented a staff report with respect to the application by applicants/landowners Russell & Brian Kushinski. Staff recommended approval of the application to subdivide a 7.03 ha (17.37 ac) residential parcel for country residential use from an unsubdivided quarter section from a titled area of 63.01 ha (155.7 ac).

#### **History:**

The proposed subdivision is located off Range Road 275 and Highway 39. This quarter section is unsubdivided.

#### **Discussion:**

The Farmland Assessment Rating established by the County Assessment Department indicates the subject land consists of a mix of low and high capability soil (7% to 81%). The Municipal Development Plan supports the subdivision of one parcel out of a quarter section. This application would represent the first parcel out of this quarter section.

Part 10.1.4 of the Land Use Bylaw stipulates that unless otherwise indicated in a statutory plan, the sizes for new residential lots should be minimum 1 ha (2.47 ac) to maximum 2.0 ha (4.94 ac) in size. Policy 3.3.1 of the Municipal Development Plan states that on agricultural land, subdivision will be limited to one lot from an unsubdivided quarter section and must be a suitable size and shape unless larger is required due to the location of existing buildings, trees and shelterbelts. Administration is of the opinion that the large size of the proposed lot encompasses a low wet area, which would be better suited with the remnant parcel. It is recommended that the subdivision be approved for a smaller parcel as per Exhibit #2.



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 complies with the EMRGP.

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

Chair Tanni Doblanko asked if Committee Members had any questions for the technical staff and in response to questions from Committee Members Mr. David Desimone, Senior Planner advised:

- Alberta Transportation will be providing a report on the capacity of intersections in the surrounding area in the near future.

Chair Tanni Doblanko called upon the applicants/landowners to speak to the subdivision. Mr. Kushinski described the reason for the bigger parcel of land for the farm site:

- Farm site has been there for 60 years, and has always been farmed and fenced;
- Not enough room to get equipment in to the farm land;
- Better to use yard site and keep weeds down;
- Give a chance to buy more farmland and expand operation;
- Drainage canal comes off highway 39, not farmable, no crossings.

Chair Tanni Doblanko asked if Committee Members had any further comments or questions. Member Belazer - recommends approval for bigger parcel.

Committee Member Vandenberghe - agrees - what is distance from Hwy 39? David Desimone responded that intersections need upgrading, Alberta Transportation advised they would get information to us.

Committee Member Belazer - existing yard site is not adding any extra development.

**09-18** Committee Member Belazer that the application by applicant Russell Kushinski to subdivide a 7.03 ha (17.37 ac) residential parcel for country residential use from an unsubdivided quarter section with a title area of 63.01 ha (155.7 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 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 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 in accordance with Atco Pipeline;
5. The subdivision be registered pursuant Alberta Land Titles requirements.

Carried Unanimously

Mr. Kushinski left the meeting at 2:50 pm.

**Proposed Subdivision - SE 36-68-1 W5**

**SD18-002**

David Desimone, Planner, Development Services presented a staff report with respect to the application by applicants/landowners Kevin & Annett Vernerey. Staff recommends refusal of the application to subdivide a 1.23 ha (3.03 ac) parcel for country residential use from a developed agricultural parcel with a title area of 43.3 ha (106.99 ac) as it does not conform to Policies 3.1.2 and 3.3.1 of the Municipal Development Plan and Part 10.1.2 of the Land Use bylaw.

**History:**

The subject lands were subdivided prior to 1965 into two parcels of 21.45 ha (53.0 ac) and 43.3 ha (107.0 ac). The proposed subdivision is located off Range Road 10 and one mile south of Township Road 490 (Glen Park Road).

**Discussion:**

The Farmland Assessment Rating established by the County Assessment Department indicates the subject land consists of both lower and higher capability agricultural lands (8.0% - 49.0%). The applicant noted that the purpose of this subdivision is to sell the dwelling site. The proposal would represent the 3<sup>rd</sup> parcel out of this quarter section. Policy 3.3.1 of the Municipal Development Plan states that on high capability agricultural land, subdivision must be a suitable size and shape for agricultural (approximately 32 ha) or small enough to minimize loss of high capability land and be easily managed as a residential site (one ha).

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.

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

Chair Tanni Doblanko asked if Committee Members had any questions for the technical staff and in response to questions from Committee Members Mr. David Desimone, Senior Planner advised:

- proposed parcel has a soil productivity rating of 8% and is mostly treed.

Chair Tanni Doblanko called upon the applicants/landowners to speak to the subdivision. The applicants came forward and advised:

- they chose the proposed site as it has low productivity. Once parcel is subdivided it will be sold off;

- they lease out the farm land to local farmer who doesn't like going into the proposed parcel area as it's hard to get equipment turned around;
- the portion that he farms is low land.

Committee Member Belozer is against administration's recommendation – it should be approved because:

- it is low land;
- no farm land will be taken out of production;
- no equipment can get in there.

**10-18** Committee Member Belozer that the application by applicant Kevin & Annett Vernerey to subdivide a 1.23 ha (3.03 ac) parcel for country residential use from a developed agricultural parcel with a title area of 43.3 ha (106.99 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. Each approach shall be built to Leduc County Development Standard;
4. Pursuant to Section 7(g) of the 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;
5. 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 title of the remnant parcel; and
6. The subdivision be registered pursuant Alberta Land Titles requirements.

The policies of the Municipal Development Plan and Land Use Bylaw 7-08 are not met by this application.

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

Carried


### **Adjournment**

**11-18** Committee Member Vandenberghe that the Subdivision Authority meeting be adjourned.

Carried Unanimously

The Subdivision Authority meeting concluded at 3:00 p.m.

  
CHAIRMAN

  
SECRETARY

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