



**SUBDIVISION AUTHORITY
MEETING AGENDA
Tuesday, April 16, 2019**

1. **ORDER** – 1:30 p.m.
2. **ADOPTION OF AGENDA**
3. **ADOPTION OF PREVIOUS MINUTES**
Subdivision Authority Minutes – March 21, 2019
4. **SUBDIVISION APPLICATIONS**
 1. SD19-004 – Frederic Forcier & Kathy Lizotte – Plan 1324325, Block 1, Lot 2 (NE 25-50-24 W4)
 2. SD19-007 – Christopher and Cara Brodniansky and Allan Brodniansky – SW 03-50-01 W5
 3. SD19-009 – David and Candice Kully – SE 28-48-26 W4
 4. SD19-010 - Amy Orr – SE 23-48-28 W4
 5. SD19-014 – Dibben Blaydon on behalf of Monarch Business Park Inc. – SW 08-51-24 W4
5. **NEXT SUBDIVISION AUTHORITY MEETING**
6. **ADJOURNMENT**

√ Attachment Provided

Delegated Authority Decisions – (March - 0)

**MINUTES OF THE REGULAR SUBDIVISION AUTHORITY MEETING OF LEDUC COUNTY
HELD ON TUESDAY, APRIL 16, 2019 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, April 16, 2019 by Chair Kelly Vandenberghe with Committee Members Kelly-Lynn Lewis, Glenn Belozar and Ray Scobie present.

Absent: Tanni Doblanko for personal reasons

Also present were:

- Mr. Dave Desimone, Senior Planner
- Mr. Kyle Payne, Planner
- Mrs. Rae-Lynne Spila, Acting Manager of Engineering
- Mrs. Chelsey Iles, Engineering Technologist
- Mr. Rick Thomas as Secretary of the Subdivision Authority
- Mrs. Laurie Stoetzel, Administrative Assistant
- Mrs. Adele Pysar, Recording Secretary

16 other individuals were present.

Agenda Adoption

19-19 Committee Member Glenn Belozar - that the Agenda for the April 16, 2019 Subdivision Authority meeting be accepted as circulated.

Carried Unanimously

Previous Minutes – March 21, 2019

19-20 Committee Member Kelly-Lynn Lewis - that the March 21, 2019 Subdivision Authority minutes be confirmed as circulated.

Carried Unanimously

Proposed Subdivision – Frederic Forcier – NE 25-50-24-4

SD19-004

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by applicant Frederic Forcier. Staff recommends refusal to subdivide an undeveloped 1.06 ha (2.63 ac) parcel for country residential use from a previously subdivided quarter section with a title area of 26.83 ha (66.30 ac).

HISTORY:

The subject lands are located on Range Road 240 and Township Road 505. A 3.0 ac parcel was subdivided from the quarter in 1980, an 80ac parcel was subdivided from the quarter in 2012 and a 4.45 ac parcel was subdivided from the quarter in 2016.



DISCUSSION

The Farmland Assessment Rating established by the County Assessment Department indicates the subject land consists of a mix of low and high capability agricultural lands (4.0% - 60.0%). The policies of the Municipal Development Plan indicate that on high capability agricultural land, subdivision shall be limited to one lot. The proposal would represent the 4th parcel out of this quarter section. The applicant noted that the purpose of this subdivision is to sell the new parcel. The Land Use Bylaw and Municipal Development Plan stipulate that the minimum size for agricultural lots shall be 32.4 ha (80 ac). Section 3.1.2 of the Municipal Development states fragmentation and the amount of high capability land removed from production for non-agricultural development shall be minimized. This proposal to further subdivide the quarter represents further fragmentation and incremental, unplanned development which is contrary to the County's planning policies.

The proposed subdivision is in the Rural Area of the Edmonton Metropolitan Region Growth Plan (EMRGP). Policy 6.2.1 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 Leduc County Land Use Bylaw defines Multi-Lot Residential Subdivision as land containing four (4) or more lots used for residential purposes. As this proposed subdivision would be the fourth parcel out of this quarter section, administration is of the opinion the quarter section would represent primarily country residential development on this quarter section. The proposed subdivision is within the Commuter Shed of the EMRGP. Policy 4.4.4 of the EMRGP stipulates that new country residential development may only be considered outside of the commuter shed boundary if the country residential lots are not less than 3.2 km (2.0 mi) from the boundary of an existing urban community in the rural area; and within the commuter shed boundary if it can be demonstrated that there are no changes in the net country residential land supply within the municipality and the country residential lots are not less than 3.2 km (2.0 mi) from the boundary of an existing urban community in the rural area. The subject lands are within 1.2 km of the City of Beaumont which is identified as an Urban Centre in the EMRGP.

As required by Section 14 of the Subdivision and Development Regulations, Alberta Transportation has not yet commented on the proposed subdivision at the time of the writing of this report, however, they have communicated they will be providing comments prior to the Subdivision Authority committee hearing date. Administration will provide comments when received and update the applicant and the Subdivision Authority at that time.

There were two adjacent landowner comments submitted regarding the proposed subdivision. The full comments are attached to this report.

Chair Kelly Vandenberghe asked if Committee Members had any further questions for administration. Dave Desimone provided the following:

- One adjacent landowner comment in regards to this subdivision was received re privacy.
- Any adjacent landowners concerns were responded back to via telephone

Chair Kelly Vandenberghe called upon the applicant to speak to the subdivision. Cathy Lizotte on behalf of Frederic Forcier approached and provided the following information:

- 70 odd acres left – not too much you can do with it
- Someone interested in living there



- They have a business
- Agrees to put \$8,000.00 towards improving the roads
- Currently being rented out for hay

Chair Kelly Vandenberghe asked if Committee Members had any further comments or questions for administration.

- Currently the land is being leased out
- Understand staff's position in this report
- No Area Structure Plan for this area
- Concerns taking out this extra farm land because of it being high capability land
- Adding another residence not great for current septic systems
- Aware of rules surrounding growth and Edmonton Metropolitan Regional Growth Plan – fragmentation of this land

19-21 Committee Member Kelly-Lynn Lewis – that the applicant Cathy Lizotte on behalf of Frederic Forcier to subdivide an undeveloped 1.06 ha (2.63 ac) parcel for country residential use from a previously subdivided quarter section with a title area of 26.83 ha (66.30 ac) be refused, as per staff recommendations 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 objectives and policies of the Municipal Development Plan 25-16:
 - 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. Objective 3.1.7 stipulates that country residential development occurs in an orderly manner that is compatible with neighboring land uses and the environment;
 - d. 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);
 - e. 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; and
 - f. Policy 3.3.14 (b) stipulates country residential use shall be in compliance with an area structure plan or lake management plan.
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)(c) of the Municipal Government Act, the proposed subdivision does not conform to the following policies of the Edmonton Metropolitan Region Growth Plan:
 - a. Policy 4.4.4 (d)(i) new country residential development in the Region shall only be considered if the proposed country residential lots are outside of the regional commuter shed boundary as identified in Schedule 7 and (ii) the country residential lots being not less than 3.2 km (2.0 mi) from the boundary of an existing urban community in the rural area; and
 - b. Policy 4.4.4 (e)(i) new country residential development in the Region shall only be considered if the proposed country residential lots within the regional commuter shed

identified on Schedule 7 can be demonstrated that there are no changes in the net country residential land supply within the municipality and (ii) the country residential lots are not less than 3.2 km (2.0 mi) from the boundary of an existing urban community in the rural area.

- c. Policy 6.2.2 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;

Carried Unanimously

Chair Kelly Vandenberghe explained the appeal process to the applicant/landowner.

Proposed Subdivision – Christopher Brodniansky on behalf of Christopher, Cara, and Allan Brodniansky – SW 3-50-1-5 SD19-007

Mr. Kyle Payne, Planner, Development Services presented a staff report with respect to the application by applicant Christopher Brodniansky. Staff recommends refusal to subdivide a developed 40.00 ac (16.09 ha) parcel for country residential use from a previously subdivided quarter section with a title area of 80.00 ac (32.4 ha).

HISTORY

The subject lands are located off Range Road 13 and Township Road 500. A 32.4 ha (80 ac) parcel was subdivided from the quarter section in 1993.

DISCUSSION

The Farmland Assessment Rating (FAR) established by the County Assessment Department indicates the subject land consists of primarily High Capability Agricultural Land (59.0%).

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 the 2nd parcel out of the quarter section. The applicant has stated their reasons for the subdivision is that they would like to acquire separate titles on each 40 acre parcel.

The Municipal Development Plan has policy regarding agricultural smallholding parcels, subdividing 40 acres or greater for agricultural use. The 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 therefore smallholdings parcels are not supported. The Municipal Development Plan indicates that it shall minimize the amount of high capability agricultural land removed from farming because fragmentation of land. It is the opinion of Planning and Development that the proposed subdivision reduces the viability of farming and sets precedent for further fragmentation of the subject land and surrounding lands.

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 Kelly Vandenberghe asked if Committee Members had any further questions for administration. Kyle Payne provided the following:

- advised lots were drawn this way to accommodate their existing septic systems, which are located in an area to meet setback requirements of 90m away
- Ag Services commented the property has class 2 soils. Proposal would fragment highly capable agricultural land into two L-shaped parcels
- Parks & Recreation not supportive as no protection for creeks. County not entitled to take reserves on lots smaller than 20 acres in size. If approved, recommend creek stay with the remainder of the lot.

Chair Kelly Vandenberghe called upon the applicant to speak to the subdivision. Christopher & Cara Brodniansky - approached and provided the following information:

- Drawn up a summary as to why we feel this subdivision needs to be reconsidered
- Called this home for 50 years
- Moved further west and acquired 80 acres for agricultural based operations
- Brothers Chris and Alan have both developed yard sites and built homes
- Subdivision would be home base for one of us
- Long term goal would be to acquire additional land
- In order to grow need to have separate titles
- There is the liability of accidental death with all on one title – who holds responsibility for debt on the property
- Any equity built into the property to enhance agricultural business will be withheld
- Crippled for plans moving forward individually if subdivision not successful.
- Full intent to move forward to continue farming
- Full intentions of making 40 acre parcels individual
- Each 40 acre parcel minimum size – other than width of fence line to increase size.
- No intention to further fragment
- If this subdivision approved, no need to further subdivide
- Have neighbors support
- Move forward and continue our growth

Chair Kelly Vandenberghe asked if Committee Members had any further comments or questions for administration.

- Will put a fence up to separate parcels – one brother goes into cattle and one into crop
- Chris advised have talked to Member Tanni Doblanko about fragmentation of land to north. To farm that land broken into acreages makes no sense. Intent is to have some farmable acres.
- Can't move forward with everyone on one title – everyone has to agree in order to have separate titles. Hard to advance otherwise.
- Built their own homes with all the necessary permits from Leduc County
- Presently both properties both use same access off road. There would have to be physical access to both properties individually. Any new approach would have to meet County standards
- In order to get setbacks – require a 90m clearance for septic system without affecting water wells etc.

19-22 Committee Member Ray Scobie that the applicant Christopher & Cara Brodniansky and Allan Brodniansky to subdivide a developed 40.00 ac (16.09 ha) parcel for country residential use from a previously subdivided quarter section with a title area of 80.00 ac (32.4 ha) be approved as per staff recommendations with the following conditions:



1. Pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding taxes are to be paid or make arrangements with Leduc County for the payment thereof;
2. Pursuant to Section 9(a) of the Subdivision and Development Regulation, the applicant/owner shall provide access to the newly created lot and access to the remnant lot. The applicant/owner shall apply for approval of locations of access and each approach shall be built to Leduc County Development Standard.
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;

Carried Unanimously

The Subdivision Authority is of the opinion that farming will continue and residential development will occur where appropriate with little to no impact on the agricultural lands.

Proposed Subdivision – Sheila Kully on behalf of Joseph (David) Kully and Candice

Kochan – SE 28-48-26-4

SD19-009

Mr. Kyle Payne, Planner, Development Services presented a staff report with respect to the application by applicant Sheila Kully on behalf of Joseph Kully and Candice Kochan. Staff recommends refusal to subdivide an undeveloped 2.5 acre (1.01 ha) parcel for country residential use from a previously subdivided quarter section with a title area of 80 acres (32.37 ha).

HISTORY

A 32.37 ha (80.00 ac) parcel was subdivided from the quarter section in 1977.

DISCUSSION

The parcel is located adjacent to Township Road 484 near Range Road 263. The Farmland Assessment Rating (FAR) established by the County Assessment Department indicates the subject land consists primarily of High Capability Agricultural Land (69% - 74%). The proposed lots would be considered the 2nd parcel out of the quarter section.

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 intent of this policy is to minimize the amount of high capability agricultural land removed from farming because of non-agricultural development and the fragmentation of land. 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. It is the opinion of staff that the proposed subdivision is precedent setting and removes high agricultural land from farming.

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.

- There were five adjacent landowner comments submitted regarding the proposed application. 2 were received after subdivision closed. These adjacent landowners are opposed to the proposed subdivision based on:
- The fragmentation of class 1 soils;
- The numerous existing subdivided quarter sections and existing dwellings in the area;
- The recent annexation by Edmonton and the reduction of farmland; and
- Increased traffic on the roadways.

Chair Kelly Vandenberghe asked if Committee Members had any further questions for administration. Kyle Payne provided the following:

- 5 letters of adjacent landowner comments received – all opposing. All focused on the fragmentation of land and how County has reduced in size and overall less agricultural lands in the area. All opposed country residential residences would be directly across from other country residential uses recently subdivided in 2017.
- First subdivided into 2 80's in 1970 – now further 2.5 ac parcel applied to be subdivided out of west 80 acres
- Agriculture Services advised minimal impact on agricultural capability of land unless area is being used as tree farm. Not sure what they meant by that – if this is a natural tree stand or a farm.

Chair Kelly Vandenberghe called upon the applicants to speak to the subdivision.

- Introductions were made by Candice and David Kully, as well as Janet and Sheila, sisters to David, and Marjie, Mother of David, Janet and Sheila.
- David and Candace purchased the property six years ago – registered as a tree farm – purchased equipment to maintain the tree farm
- Had two children in a short period of time and thus needed help from extended family with child care and maintaining tree farm
- Main concern for County is the fragmentation of high quality land – need relaxation to limit subdivision to one lot from subdivided quarter in order to assist growing operation
- Original request for 1.5 acres for homestead and driveway – stagger the driveway - would be fenced to keep children in and wildlife out
- Acknowledged the concerns of adjacent landowners to insure agricultural plans are in the best interests of all parties
- Intention of subdivision to divide property taxes
- Tree line along TWP 484 would be maintained
- Top soil removed for home site will be used to fill tree holes
- Have received next door neighbors approval
- Would grow a variety of vegetables for farmers markets
- Hope to get into raising sheep and lamb for market – custom feeding for steers
- Currently raising chickens for laying eggs – hope to expand
- Family want to continue as business partners in the tree farm

Chair Kelly Vandenberghe asked if Committee Members had any further comments or questions for administration.

- Kyle Payne advised 2 primary and 2 secondary residences could be built on this 80 acres
- Kyle Payne advised depending on the type of sewage systems, different setbacks required to meet setback requirements.
- Candace commented would like to allow livestock to graze the whole perimeter of trees to control weeds

- Member Vandenberghe commented proposed lot should be put in suitable location for access – leave trees for natural shelterbelt. Acknowledge neighbors concerns:
 - Sisters & mother want to live on property to support David & Candace and be close to grandchildren
 - Fragmentation will be addressed legally
 - Subdivide for legalities
 - Alleviate traffic concerns
- Member Vandenberghe commented nice to hear about smaller operations and opportunity to generate market gardens and tree farming. Don't need to remove a piece of property – can be achieved without subdivision.

19-23 Committee Member Kelly-Lynn Lewis that the applicant Sheila Kully on behalf of Joseph Kully and Candice Kochan to subdivide an undeveloped 2.5 acre (1.01 ha) parcel for country residential use from a previously subdivided quarter section with a title area of 80 acres (32.37 ha) be refused as per staff recommendations 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:
 - 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 3.3.1 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.
1. 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.
2. 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.

Pro: Chair Kelly Vandenberghe and Committee Member Kelly-Lynn Lewis
Con: Committee Members Glen Belozer and Ray Scobie

Lost

The application is deemed to be not approved.

Chair Kelly Vandenberghe explained the appeal process to the applicant/landowner.



Proposed Subdivision – Amy Orr – SW 23-48-28-4

SD19-010

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by applicant Amy Orr. Staff recommends approval to subdivide a developed 40.00 acre (16.19 ha) parcel for recreational and residential use from a previously subdivided quarter section with a title area of 80 acres (32.37 ha).

HISTORY

The subject lands are located off Range Road 281 and a half mile south of Township Road 484. The quarter section is subdivided into two 80 acre parcels in 1977 and the north 80 acres was subdivided into two 40 acre parcels in 2010.

DISCUSSION

The Farmland Assessment Rating established by the County Assessment Department indicates the subject land consists of Low Capability Agricultural Land (9%). The subject lands are not used for agricultural purposes, as the subject lands are completely forested. Adjacent land uses consist of some agricultural uses. There are also forested areas adjacent to the property. As per policy 9.29.10 of the amended Land Use Bylaw, if an area is 90% forested in the Wizard Lake Area Structure Plan, it must remain 90% forested or have a landscaping plan requiring a minimum of two trees per gross acre of land.

The subject lands are located in the West Lake Conservation Area of the Wizard Lake Area Structure Plan. The West Lake Conservation Area has the highest ecological value and highest conversation priority of the Wizard Lake ASP plan area. Policy 12.2A of the Wizard Lake ASP stipulates each quarter section shall be permitted to subdivide, however, the result cannot exceed four separate title areas and the minimum parcel size shall be 40 acres.

This subdivision complies with the Municipal Development Plan, Wizard Lake Area Structure Plan and Edmonton Metropolitan Region Growth Plan.

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

Chair Kelly Vandenberghe asked if Committee Members had any further questions for administration. Dave Desimone provided the following:

- campground is permitted – for 9 campsites – permit in 2017

Chair Kelly Vandenberghe called upon the applicant to speak to the subdivision. Amy Orr approached and provided the following information:

- Want to subdivide 80 acre parcel into 2 40s – keep residence separate from campground
- No plans to build on campsite.
- Understands requirement to maintain trees coverage at 90%

Chair Kelly Vandenberghe asked if Committee Members had any further comments or questions for administration.

- Dave Desimone advised the application was brought to Subdivision Authority due to the Wizard Lake Area Structure Plan

JD

19-24 Committee Member Glen Belozer that the applicant Amy Orr to subdivide a developed 40.00 acre (16.19 ha) parcel for recreational and residential use from a previously subdivided quarter section with a title area of 80 acres (32.37 ha) be approved as per staff recommendations for the following reasons:

1. 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;
2. Pursuant to Section 9(a) of the Subdivision and Development Regulation, the applicant/owner shall apply for approval of locations of access to each lot created. Each approach shall be built to Leduc County Development Standard;
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 655 (1) (a) of the Municipal Government Act and Part 9.29.10(a) of Land Use Bylaw 7-08, a restrictive covenant be registered on title restricting the removal of tree cover/vegetation to 0.4 ha (1 acre) for residential purposes; and
5. The subdivision be registered pursuant Alberta Land Titles requirements.

Carried Unanimously

Proposed Subdivision – Dibben Blaydon on behalf of Monarch Business Park Inc. –

SW 8-51-24-4

SD19-014

Mr. Dave Desimone, Senior Planner, Manager of Development Services presented a staff report with respect to the application by applicant Dibben Blaydon on behalf of Monarch Business Park Inc. Staff recommends approval to subdivide three lots for Industrial Use (Lot 1 - 13.02 ac/5.27 ha, Lot 2 - 17.32 ac/7.01 ha, Lot 3 - 5 ac/2.02 ha) and one 8.28 acre lot (3.35 ha) for public use.

HISTORY

The subject lands are located in Nisku along 8th Street and half mile north of Township Road 510. It is situated within the WAM Local Area Structure Plan and North Major Area Structure Plan. Our records indicated that one lot was created prior to 1978 along the northern boundary of the quarter section. The subject lands lie within the Industrial District. The previous subdivision approval for these lands (SD17-077) for three lots included a condition for municipal reserves to be dedicated as cash in lieu. With this prior subdivision being withdrawn, and the current subdivision proposing 3 lots of smaller size leaving a large remnant parcel, administration now recommends the municipal reserves owing be dedicated as a deferred reserve caveat to be registered on the title of the remnant lands.

DISCUSSION

The subdivision application is in compliance with the WAM Local Area Structure Plan, North Major Area Structure Plan, Municipal Development Plan, Leduc County Land Use Bylaw, and Capital

2D

Region Growth Plan. The WAM Local Area Structure Plan (LASP) was approved by Council on January 29, 2008. The subject lands are identified as Business Industrial in the Local Area Structure Plan. The applicant has indicated that the proposed subdivision is to accommodate an interested developer for the land.

A development agreement will address the phasing, specifics of utilities, landscaping, roads, and construction requirements. Contribution to off-site levies and sharing of servicing costs shall be in accordance with the County's Greater Nisku and Area Off-site Levy Policies and Procedures. Dedication of internal road right-of-way will provide for future connection to 37 Avenue including the Nisku Spine Road. The engineered storm water management system will have to be approved by Leduc County Public Works and Engineering and Alberta Environment.

The Land Use Bylaw states the purpose of this District is to accommodate a range of compatible industrial and commercial uses, the location of which is guided by the North Major Area Structure Plan or WAM Local Area Structure Plan.

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

Chair Kelly Vandenberghe asked if Committee Members had any further questions for administration. Charlene Haverland provided the following:

- No questions for administration.

Chair Kelly Vandenberghe called upon the applicant to speak to the subdivision. Dibben Blayden & Alex Thompson approached and provided the following information:

- No report – asked if any questions of them
- Industrial type uses being brought to this property
- mix of uses already permitted

Chair Kelly Vandenberghe asked if Committee Members had any further comments or questions for administration.

- Dave Desimone advised meets all of the Local Area Structure Plan

19-25 Chair Kelly Vandenberghe that the applicant Dibben Blaydon to subdivide three lots for Industrial Use (Lot 1 - 13.02 ac/5.27 ha, Lot 2 - 17.32 ac/7.01 ha, Lot 3 - 5 ac/2.02 ha) and one 8.28 acre lot (3.35 ha) for public use be approved as per staff recommendations for the following reasons:

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:
 - a) design, construction, and engineered drawings of a paved internal subdivision road and signage for same including turnaround facilities;
 - b) design, construction, and engineered drawings of a storm water management system in accordance with a Storm Water Management Study. Approval of the storm water management system from Alberta Environment is required;
 - c) provision for widening and backslope agreements, as required;
 - d) provision respecting landscaping, as required;
 - e) provision for lot grading and/or filling;
 - f) provision for a road use agreement including, but not limited to, dust suppression;
 - g) fencing of the Public Utility Lot, as required;

JD

- h) provision of water and sewer services;
 - i) payment of off-site levies;
 - j) provision respecting fire protection, including but not limited to, lot building, development requirements and water or chemical supply for firefighting;
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 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 larger remnant parcel; and
4. The subdivision be registered pursuant Alberta Land Titles requirements.

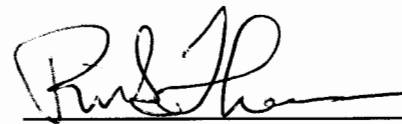
Carried Unanimously

Adjournment

19-26 Committee Member Kelly-Lynn Lewis - that the Subdivision Authority meeting be adjourned.

The Subdivision Authority meeting concluded at 2:54 p.m.


CHAIRMAN


SECRETARY