



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

1. **ORDER** – 1:30 p.m.
2. **ADOPTION OF AGENDA**
3. **ADOPTION OF PREVIOUS MINUTES**
Subdivision Authority Minutes – June 18, 2019
4. **SUBDIVISION APPLICATIONS**
 1. SD19-027 – Robert & Mary Ann Vaudan – NW 12-50-28 W4
 2. SD19-029 – Ralph & Joyce Goddard – NE 31-50-23 W4
 3. SD19-030 - Cody & Chelsea Pahl – SE 12-48-26 W4
 4. SD19-034 – Gordon & Sheila Patriquin – SW 24-49-22 W4
5. **NEXT SUBDIVISION AUTHORITY MEETING**
6. **ADJOURNMENT**

√ Attachment Provided

Delegated Authority Decisions – (June – 3)

**MINUTES OF THE REGULAR SUBDIVISION AUTHORITY MEETING OF LEDUC COUNTY
HELD ON TUESDAY, JULY 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, July 16, 2019 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 of Development Services
- Mr. Dave Desimone, Senior Planner
- Mrs. Rae-Lynne Spila, Engineering Technologist
- Mr. Rick Thomas as Secretary of the Subdivision Authority
- Mrs. Laurie Stoetzel, Recording Secretary

11 other individuals were present.

Agenda Adoption

19-41 Committee Member Belozar - that the Agenda for the July 16, 2019 Subdivision Authority meeting be accepted as circulated.

Carried Unanimously

Previous Minutes – June 18, 2019

19-42 Committee Member Kelly-Lynn Lewis - that the June 18, 2019 Subdivision Authority minutes be confirmed as circulated with the correction that Ray Scobie made the correction to the May 21, 2019 Subdivision Authority Minutes.

Carried Unanimously

Proposed Subdivision – Robert and Mary Ann Vaudan – NW 12-50-28 W4 SD19-027

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by applicant Mary Ann Vaudan. Staff recommends refusal to subdivide an undeveloped 9.08 ha (22.44 ac), 7.06 ha (17.45 ac) and 7.61 ha (18.80 ac) parcel for country residential use from an unsubdivided quarter section with a title area of 64.75 ha (160 ac).

HISTORY

The subject lands are located at Township Road 502 and Range Road 281. The quarter section is unsubdivided.

DISCUSSION

The Agricultural Land Suitability Rating indicates the subject land consists of Class 3 and 4 Soil. Class 3 is considered Prime Agricultural Lands. The policies of the Municipal Development Plan indicate that in Agricultural Area B: North Central, subdivisions shall be limited to either a physical severance or a farmstead subdivision and there shall be no more than one subdivision (two titled



lots) per quarter section. The proposed subdivision is for three (3) undeveloped parcels, creating four (4) titled lots for this quarter section.

Weed Creek runs through this quarter section which has a riparian area identified as a High Disturbance Risk in the Leduc County Environmentally Significant Area Study (2015). Policy 6.1.0.2 of the Municipal Development Plan states where there is evidence of an Environmentally Significant Area within the boundaries of, or adjacent to, a proposed subdivision an Environmental Impact Assessment may be required to delineate the boundary of the Environmentally Significant Area and identify and mitigate the potential impact that development or subdivision may have on the Environmentally Significant Area. There was no Environmental Impact Assessment submitted in association with this subdivision application. It is the opinion of administration that the proposed lots are not planned with consideration to the best management of Weed Creek and may potentially have a detrimental impact.

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 one adjacent landowner comments submitted after the writing of the report which have been circulated to the committee for consideration regarding the proposed subdivision. They are objecting to the proposed subdivision.

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

Dave Desimone provided the following:

- Within the MDP, Area B is meant to conserve large tracks of agricultural land. Policy provides for one subdivision per ¼ section by way of physical severance or a homestead separation.
- Environmental assessment would contain recommendations and stipulate where property lines should be delineated.
- An Environmental Reserve area would be recommended, however due to the size of the area and no assessment available it is best if left in natural state.
- East end of township road is a dead end.

Chair Tanni Doblanko called upon the applicant if they wished to add anything further to the subdivision. Robert & Mary Ann Vaudan approached and provided the following information:

- Bought farm in 1992.
- Grew up on farms.
- Helped dad on his farm.
- Wanted to purchase farmland and bought the property after 5 year search.
- Had 4 children and wants to give a parcel to each child as they would not be able to manage the whole farm.
- Subdivision would preserve farmland and creek.
- Homestead is the only access to the valley.
- Hay grown down in the valley.
- Not planning on stopping farming.
- 10-12 acre are in hay and the rest of valley is cow pasture.
- Creek is always flowing and it changes the land each year which is challenging for farming.
- Petting farm for 17 years which has been idle for last 6 years.
- Each lot has a beautiful view of the valley.
- Due to health issues he is re-evaluating the farm operation.

- Currently farming the northern part in hay, lot 2 in barley and lot 3 is in hay.
- The agricultural use would not change.

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

19-43 Committee Member Kelly Vandenberghe – that the application to subdivide undeveloped 9.08 ha (22.44 ac), 7.06 ha (17.45 ac) and 7.61ha (18.80 ac) parcel for country residential use from an unsubdivided quarter section with a title area of 64.75 ha (160 ac) be refused 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 (08-19):
 - a. Policy 4.3.1.1 stipulates all subdivisions shall be designed and located in a manner that considers the topography of the land and minimizes (b) the amount of agricultural land, and specifically prime agricultural land converted to non-agricultural use; and (d) disturbance of environmentally significant areas;
 - b. Policy 4.3.1.5 stipulates Agriculture Area B: North Central is intended to conserve large, contiguous tracts of prime agricultural land with minimal fragmentation primarily for intensive cropping operations in Agricultural Area B: North Central, subdivision shall be limited to a (a) Physical severance; or (b) Farmstead subdivision;
 - c. Policy 4.3.1.6 states there shall be no more than one subdivision (two titled lots) per quarter section in Agricultural Area B: North Central; and
 - d. Policy 6.1.0.2 states where there is evidence of an Environmentally Significant Area within the boundaries of, or adjacent to, a proposed development or subdivision an Environmental Impact Assessment may be required to delineate the boundary of the Environmentally Significant Area and identify and mitigate the potential impact that development or subdivision may have on the Environmentally Significant Area.
2. 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 Land Use Bylaw 7-08:
 - a. Part 10.1.2 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; and
 - b. Part 10.1.4 states unless otherwise indicated in a statutory plan, the sizes for new residential lots in the Agricultural District should be minimum 1 ha (2.47 ac) and maximum 2.0 ha (4.94 ac).
3. Pursuant to Section 654 (1)(b) of the Municipal Government Act, the proposed subdivision does not conform to Policy 6.2.2 of the Edmonton Metropolitan Region Growth Plan that states in the rural area, large contiguous agricultural areas will be protected and maintained to enable efficient agricultural production and to support the agricultural sector in the Region.

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

Pro: Chair Tanni Doblanko and Committee Members Kelly-Lynn Lewis and Kelly Vandenberghe
Con: Committee Members Glenn Belozor and Ray Scobie

Carried

Chair Tanni Doblanko provided information regarding the appeal process.



Proposed Subdivision – Ralph & Joyce Goddard – NE 31-50-23 W4**SD19-029**

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by Ralph & Joyce Goddard. Staff recommends refusal to subdivide a developed 16.19 ha (40 ac) parcel for agricultural use from a quarter section with a title area of 32.37 ha (80 ac).

HISTORY

The subject lands are located at Township Road 510 and Range Road 235. The quarter section was subdivided into two 80 acre parcels in 1990.

DISCUSSION

The Agricultural Land Suitability Rating indicates the subject land consists of Class 3 Soil. Class 3 is considered Prime Agricultural Lands. The policies of the Municipal Development Plan indicate that in Agricultural Area B: North Central, subdivisions shall be limited to either a physical severance or a farmstead subdivision and there shall be no more than one subdivision (two titled lots) per quarter section. The proposed subdivision is for one developed parcel, creating three (3) titled lots for this quarter section.

The Alberta Merged Wetland Inventory identifies marsh, fen and open water on the subject lands. Policy 6.2.0.7 of the Municipal Development Plan states the preservation of wetlands for the long-term benefit of the region is encouraged. It is the opinion of administration that the proposed property lines will divide existing wetlands which is potentially problematic for crossing and preservation.

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 no adjacent landowner comments submitted regarding the proposed subdivision.

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

Dave Desimone provided the following:

- The Land Use Bylaw allows for 2 primary and 2 secondary dwellings.
- Wetlands should be preserved but without an assessment, not sure if subdividing would have a negative impact on the wetlands.

Chair Tanni Doblanko called upon the applicant to speak to the subdivision. Ralph Goddard and Michael Goddard approached and provided the following information:

- Reason to subdivide is to give a parcel to his two sons.
- Boys live close and help with the farm operation.
- Has been farming for the last 10-15 years but stopped this spring.
- Has been on the farm for 40 years and the water runs out of the wetlands.
- Now has animals in southern section of quarter and have plugged off the creek.
- Indicated water flow. Fall is all dry with no residual.

Michael Goddard provided the following information:

- The area is farmed now with hay on northern part and oats on other parts.
- Hobby farm equipment uses team of horses and wants to continue using draft horses.
- Brother raises horses and would farm as well.
- Between 2 country residential districts and is agriculture area. Do not wish to redistrict to country residential. No intention of moving.

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

19-44 Chair Tanni Doblanko - that the application to subdivide a developed 16.19 ha (40 ac) parcel for agricultural use from a quarter section with a title area of 32.37 ha (80 ac) be refused 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 (08-19, as amended):
 - a. Policy 4.3.1.1 stipulates all subdivisions shall be designed and located in a manner that considers the topography of the land and minimizes (b) the amount of agricultural land, and specifically prime agricultural land converted to non-agricultural use; and (d) disturbance of environmentally significant areas;
 - b. Policy 4.3.1.5 stipulates Agriculture Area B: North Central is intended to conserve large, contiguous tracts of prime agricultural land with minimal fragmentation primarily for intensive cropping operations in Agriculture Area B: North Central, subdivision shall be limited to a (a) Physical severance; or (b) Farmstead subdivision;
 - c. Policy 4.3.1.6 states there shall be no more than one subdivision (two titled lots) per quarter section in Agriculture Area B: North Central; and
 - d. Policy 6.2.0.7 states the preservation of wetlands for the long-term benefit of the region is encouraged.
2. 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 Land Use Bylaw 7-08:
 - a. Part 10.1.2 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; and
 - b. Part 10.1.4 states unless otherwise indicated in a statutory plan, the sizes for new residential lots in the Agricultural District should be minimum 1 ha (2.47 ac) and maximum 2.0 ha (4.94 ac).
3. Pursuant to Section 654 (1)(b) of the Municipal Government Act, the proposed subdivision does not conform to Policy 6.2.2 of the Edmonton Metropolitan Region Growth Plan that states in the rural area, large contiguous agricultural areas will be protected and maintained to enable efficient agricultural production and to support the agricultural sector in the Region.

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

Pro: Chair Tanni Doblanko and Committee Members Kelly Vandenberghe, Glenn Belozar and Ray Scobie

Con: Committee Member Kelly-Lynn Lewis

Carried

Chair Tanni Doblanko provided information regarding the appeal process.

Proposed Subdivision – Cody & Chelsea Pahl – SE 12-48-26 W4**SD19-030**

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by Cody & Chelsea Pahl. Staff recommends refusal to subdivide a developed 2.18 ha (5.38 ac) parcel for country residential use from a previously subdivided quarter section with a title area of 62.88 ha (155.37 acres).

HISTORY

The subject lands are located off Range Road 260 and Township Road 481. A 1.86 ha (4.60 ac) parcel was subdivided from the quarter in 2008.

DISCUSSION

The Agricultural Land Suitability Rating indicates the subject land consists of Class 2 Soil. Class 2 is considered Prime Agricultural Lands. The policies of the Municipal Development Plan stipulate that in Agricultural Area C: South Central/East, subdivisions shall be limited to either a physical severance or a farmstead subdivision and there shall be no more than one subdivision (two titled lots) per quarter section. The proposed subdivision is for the second parcel, creating three (3) titled lots for this quarter section.

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 no adjacent landowner comments submitted regarding the proposed subdivision.

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

Dave Desimone provided the following:

- Confirmed land is Class 2 soil rating

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

- Bought subdivided property in 2011 from grandparents.
- Rented out large agricultural parcel to big farming operation.
- Proposed subdivision yard is rented out, renter expresses interest in purchasing
- Downsized the lot size to 5.3 ac.
- Pasture between the two residences.
- Creek to west runs only during the spring.
- Renter who has horses wants to purchase the 5.3 ac.
- Use would not be changed.
- Yard site and pasture area to north parcel are fenced.
- Not many trees, Quonset. Was cattle farm with corrals.
- Consolidation could be possible with our existing homestead to permit for the new proposed subdivision to proceed

19-45 Committee Member Kelly Vandenberghe - that the application to subdivide a developed 2.18 ha (5.38 ac) parcel for country residential use from a previously subdivided quarter section with a title area of 62.88 ha (155.37 acres) be deferred to the next Subdivision Authority meeting

on August 20, 2019 to give the applicant time to consider amending the proposed application consolidating their existing parcel with the larger farmed parcel.

Carried Unanimously

Proposed Subdivision – Gordon & Sheila Patriquin – SW 24-49-22 W4

SD19-034

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by Gordon & Sheila Patriquin. Staff recommends refusal to subdivide an undeveloped 6.1 ha (15 ac) physically severed parcel for country residential use from a previously subdivided quarter section with a title area of 57.61 ha (142.63 ac).

HISTORY

The subject lands are located off Range Road 221 and a half mile south of Highway 623. A 5.38 ha (13.29 ac) parcel was subdivided from the quarter section in 2012.

DISCUSSION

The Agricultural Land Suitability Rating indicates the subject land consists of Class 2 and 5 Soil. Class 2 is considered Prime Agricultural Lands. The policies of the Municipal Development Plan stipulate that in Agricultural Area C: South Central/East, subdivisions shall be limited to either a physical severance or a farmstead subdivision and there shall be no more than one subdivision (two titled lots) per quarter section. The proposed subdivision is for the second parcel, creating three (3) titled lots for this quarter section.

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 no adjacent landowner comments submitted regarding the proposed subdivision.

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

Dave Desimone provided the following:

- Homestead is owned by the applicants.
- No access to proposed lot, approach would be required.

Chair Tanni Doblanko called upon the applicant to speak to the subdivision. Gordon & Sheila Patriquin approached and provided the following information:

- Owned the property since 1969.
- Gave son and daughter one parcel each.
- Would like to give the 15 ac to daughter as pasture for livestock , pasture currently exists on adjacent parcel to the south and currently rented by daughter.
- Water has to be hauled to cattle.
- Nuisance piece of land with railway crossing. Want to get rid of it.
- Not ideal to build on.
- Busy railroad.



- Parcel is all fenced and pastured.
- Not in Hay Lakes Drainage District.
- Was hayed but now pastured.
- Daughter lives across road.

Chair Tanni Doblanko asked if Committee Members had any further comments or questions for administration:

Dave Desimone, provided the following:

- By definition the parcel is physically severed.
- New MDP allows for 2 titled lots per quarter section, this would create the 3rd title.
- Rail line creates a severance.

19-46 Committee Member Kelly Vandenberghe- that the application to subdivide an undeveloped 6.1 ha (15 ac) physically severed parcel for country residential use from a previously subdivided quarter section with a title area of 57.61 ha (142.63 ac) be approved 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 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 to the Land Titles Act.

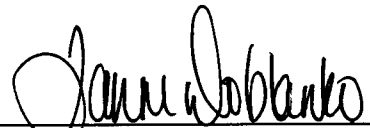
Carried Unanimously

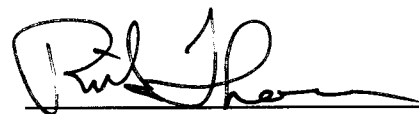
The Subdivision Authority was of the opinion that the subdivision was appropriate as the land is physically severed by the railroad tracks.

Adjournment

19-47 Committee Member Glenn Belozor - that the Subdivision Authority meeting be adjourned.

The Subdivision Authority meeting concluded at 2:43 p.m.


CHAIRMAN


SECRETARY